


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Scott Miller, President | Kent Cahlander, Editor | Melissa Dilley, Mike Livingston, Dustin Ensinger, Jon Reed,
Staff Writers

Click the  after a bill number to create a saved search and email alert for that bill.

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Sarah LaTourette Kayser <latoursm@gmail.com>

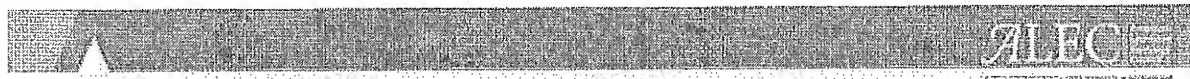
ALEC CEO Update: You are Making an Impact on Tax Reform

1 message

Lisa B. Nelson <lisanelson@alec.org>
To: latoursm@gmail.com

Wed, Nov 1, 2017 at 2:00 PM

To view this email as a web page, go here.



Dear Members,

Ronald Regan was the last president to achieve tax reform in the 1980s—more than a generation ago. In that time, our society has fundamentally changed. And, the tax code has not. Americans and American job creators all want to keep more of their hard-earned money to pay for college or vacation, or to reinvest in a business or R&D.

While ALEC is a consistent leader on tax and fiscal policy issues under the direction of Chief Economist Jonathan Williams and the ALEC Center for State Fiscal Reform, our leadership is seen now more than ever in the fight to **eliminate the state and local tax (SALT) deduction—a move that would provide upwards of \$1.5 trillion over the next decade to implement broad-based national tax cuts.** Using the fairness and simplicity argument, President Reagan famously worked to eliminate the SALT deduction back in 1985.

Since the summer, progressive state and local advocates from NCSL, NACO, NGA, and others have been fighting to preserve the SALT deduction—a move that could end the push for comprehensive tax reform and continue to allow states and municipalities to spend beyond their means. **And, ALEC and its members have stood in opposition to the SALT deduction. And, our collective voice is being heard.**

As I write this note, the White House just distributed a message that includes the ALEC letter from legislators in 35 states as a primary reason to eliminate the SALT deduction (I've included the White House message below).

ALEC is unique on the policy landscape because we meet at the intersection of business interests and sound policy. Our policy solutions are more valid because of our robust and unique dialogue. Today, ALEC is making a difference for three reasons:

- **Leadership** – ALEC and ACCE members are leaders in their communities. They are closer to the people and have more regular, personal interaction with their constituents. (This also marks the first time ALEC, ACCE and ALEC Action have joined together in substantive federal outreach)
- **Perspective** – ALEC members have a unique perspective focused on individual freedom and federalism, and the intersection of business, policy and opportunity creation
- **Focus** – As an organization, ALEC can leverage the disparate voices of state leaders on a single issue. We are stronger together, and the attention on this issue is due in large part to how we organized and communicated with a single voice

For ALEC, this current push began at the Denver Annual Meeting with a discussion hosted by Newt Gingrich on the need for simple, across the board tax cuts for businesses and individuals. Since that time, it's been a full court press culminating in the open letter to

Congress. Every week, ALEC legislators join conference calls to advise Congressional leadership. ALEC staff is at the table for White House strategy discussions. Jonathan Williams' message has blanketed the airwaves. And ALEC members have been calling their federal delegations and governors to make sure we make every argument in favor of eliminating the SALT deduction.

Right now, ALEC is making a difference. And, it's because of your commitment to limited government, free markets and federalism.

So many ALEC ideas start at our meetings. As I mentioned above, the current ALEC push for tax reform started at the 2017 Denver Annual Meeting. And, I would be remiss if I didn't use the opportunity to ensure the States and Nation Policy Summit was on your radar. I also want to call your attention to a **new caucus on rural issues** meeting for the first time on the morning of December 6 at the Nashville meeting. So many ALEC members come from rural America, but that means something different to each of us. Together we can create a policy package that provides a strong economic future for the majority of Americans.

As you plan your 2018 legislative agenda, you won't want to miss the opportunity to compare notes with your colleagues from around the country in Nashville from December 6 – 8. Hotel rooms are booking quickly for our *can't miss* event.

I'm looking forward to seeing you in Nashville and to all the opportunity 2018 will bring for states and for the free market.

Sincerely,

Lisa B. Nelson

CEO
ALEC

From: Sadler, Kelly J. EOP/WHO
Sent: Monday, October 30, 2017 1:21 PM
To: Sadler, Kelly J. EOP/WHO
Subject: Top 10 Reasons Why SALT Needs to be Eliminated

Top 10 Reasons Why SALT Needs To Be Eliminated

1. The SALT deduction disproportionately benefits the wealthiest 1 percent -- more than 70 percent of Americans receive no benefit from the deduction, according to a report by the Heritage Foundation.
2. Eliminating SALT would generate an estimated \$1.669 trillion in revenues over the next 10 years, according to the same report.
3. Getting rid of SALT would allow for a significant rate reduction — of up to 16 percent — for *all* taxpayers.
4. Eighty-eight percent of those using the SALT deduction make over \$100,000, according to the Tax Foundation.
5. The municipal bond interest deduction encourages state and local governments to run up debts that could lead to insolvency and unfairly subsidize wealthy investors.
6. 125 state legislatures from 35 states signed an ALEC letter to repeal SALT because abolishing it would force residents to take a much harder look at their state and local tax rates — especially in the highest taxed states.
7. Millionaires in New York and California get HUGE tax breaks from the state and local tax deduction. On average, millionaires in these two high-tax states deduct more than \$450,000 in state and local taxes, leading to a federal tax break of more than \$180,000 (Source: Heritage Foundation).
8. Similarly-situated millionaires living in low-tax states such as Texas and Florida deduct only about

\$75,000 in state and local taxes. As a result, millionaires living in Texas and Florida pay about \$150,000 more in federal income taxes than those with identical incomes who live in California or New York. (Source: Heritage Foundation)

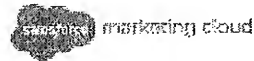
9. Together, California and New York receive nearly one-third of the deduction's total value nationwide. Six states – California, New York, New Jersey, Illinois, Texas, and Pennsylvania – claim more than half the value of the deduction (Source: Tax Foundation).

10. Ronald Reagan argued in 1985 state and local tax deductions were "Truly taxation without representation."

"REAGAN: "We're reducing tax rates by simplifying the complex system of special provisions that favor some at the expense of others. *Restoring confidence in our tax system means restoring and respecting the principle of fairness for all.* This means curtailing some business deductions now being written off; it means ending several personal deductions, *including the state and local tax deduction, which actually provides a special subsidy for high-income individuals, especially in a few high-tax states.* Two-thirds of Americans don't even itemize, so they receive no benefit from the state and local tax deduction. But they're being forced to subsidize the high-tax policies of a handful of states. *This is truly taxation without representation .*"

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Sarah LaTourette Kayser <latoursm@gmail.com>

IMPORTANT States and Nation Policy Summit Task Force Information Inside

1 message

American Legislative Exchange Council <ahackbarth@alec.org>
To: latoursm@gmail.com

Thu, Nov 2, 2017 at 5:18 PM

To view this email as a web page, go [here](#).



Dear Sarah,

As the States and Nation Policy Summit nears, please make sure to take a look at the important 35- Day Notification materials below! Included on each Task Force's webpage are draft agendas for the subcommittees, working groups and the Task Force meetings, as well as the model policies in line for Task Force consideration.

[Click Here to Register Today](#)

- Civil Justice
- Commerce, Insurance and Economic Development
- Communications and Technology
- Criminal Justice Reform
- Federalism & International Relations
- Education and Workforce Development
- Energy, Environment & Agriculture
- Health and Human Services
- Tax and Fiscal Policy

[Full List of Model Policies](#)

While you are busy making plans for your Task Force meetings, make sure to carve out some time for a quick, **20 minute CARE demonstration**. If your Task Force falls on Friday, drop by during the Thursday line-up. Click below for the full schedule.

[ALEC CARE Demo Schedule](#)

I look forward to seeing you this December, as we discuss a wide range of state-based solutions for some of today's biggest policy topics and hear from a wide range of policy experts.

See you in Nashville!

Lisa B. Nelson
CEO



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Sarah LaTourette Kayser <latoursm@gmail.com>

Your ALEC Digital Exchange 11/2/2017

1 message

American Legislative Exchange Council <ahackbarth@alec.org>

Thu, Nov 2, 2017 at 5:46 PM

To: latoursm@gmail.com

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Digital Exchange - November 2, 2017

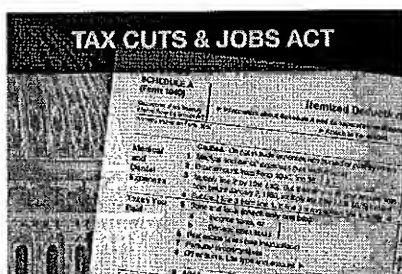


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The Big Reveal: Our First Look at the Tax Bill



The House Ways and Means Committee released its tax reform legislation today that preserves much of the original intent of lowering rates, simplifying the code and making it fairer.

[Read Press Release](#)

Member Focus

State Legislators Support Eliminating the SALT Deduction



Hear from state legislators talking about tax reform, and why they support the repeal of the state and local tax (SALT) deduction. Legislators from both high- and low-tax states explain why this is an incredibly important issue.

[Watch Playlist](#)

Legislator Voices

Incoming Nat'l Chmn. Rep. Jason Saine (NC) Gives Tax Reform Advice

Incoming ALEC National Chairman Jason Saine of the North Carolina General Assembly discusses why he believes tax reform is important for America.

His advice to the Ways and Means Committee: "Put



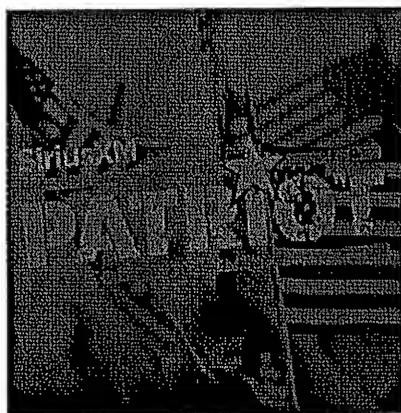
on your earmuffs, move forward because you know you are right. This is what America needs to be competitive."

[Watch Video](#)

ALEC On the Radio

Jonathan Williams Joins Patriot Radio

Jonathan Williams | Center for State Fiscal Reform



ALEC Chief Economist and Vice President of the Center for State Fiscal Reform Jonathan Williams joins SiriusXM's "Patriot Radio" to discuss the upcoming tax reform bill. Jonathan is optimistic about the bill, stating, "We're on the cusp of fundamental tax reform for the first time in a generation that could provide 3-4% growth."

[Listen Here](#)

Hear From the Experts

Spooky Scare Tactics on Halloween

Center for State Fiscal Reform



In this Halloween edition of *Jonathan & Joel Talking Tax Reform*, our two experts discuss scare tactics that tax reform opponents have been deploying.

[Watch Video](#)

Expert Opinion

We Must Get SALT out of Taxpayers' Diets

Jonathan Williams | Center for State Fiscal Reform | *The Hill*

While the debate still rages over the effect that salt has on the health of Americans, another form of salt, the state and local tax deduction (SALT), is harmful to our federal tax code and, more importantly, bad for hardworking American taxpayers. Read Jonathan



Williams' column in *The Hill* discussing the importance of eliminating the SALT deduction

[Read More](#)

Expert Insight

Happy Halloween: States Look to Outlaw Masks During Protests

Shelby Emmett, Ronald Lampard | American Legislative Exchange Council



This Halloween many states are considering outlawing the wearing of masks. Why? The news of late has been filled with scenes of American protests gone wrong. Whether it is the chaos at Berkeley or the horrific events that unfolded in Charlottesville, protesting has turned from something to celebrate to something to fear.

[Read Article](#)

A Modern Day Patrick Henry – “Give Me Liberty...”



This week, ALEC and FreedomWorks introduce Virginia State Delegate Nick Freitas from the 30th district. Freitas firmly believes that, “We need more people in office dedicated to the philosophy that government’s primary responsibility is to protect the people’s liberty and property.”

[Read More](#)

States and Nation Policy Summit '17

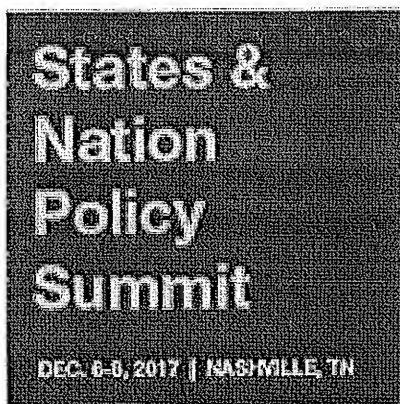
Register for SNPS Today!



The States & Nation Policy Summit is gearing up to be a very popular meeting and we have an amazing line up of speakers that you do not want to miss! As the ALEC room block is quickly filling up, we encourage you to visit our meetings page for **alternative hotel options**. We apologize for any

7/24/2018

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inconvenience this may cause, but are excited to see so many of you in just a few short weeks!

[Register for SNPS](#)



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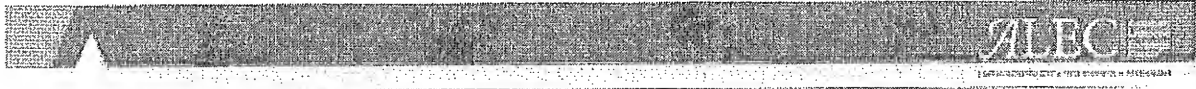
Sarah LaTourette Kayser <latoursm@gmail.com>

Your ALEC Digital Exchange 11/09/2017

1 message

American Legislative Exchange Council <ahackbarth@alec.org>
To: latoursm@gmail.com

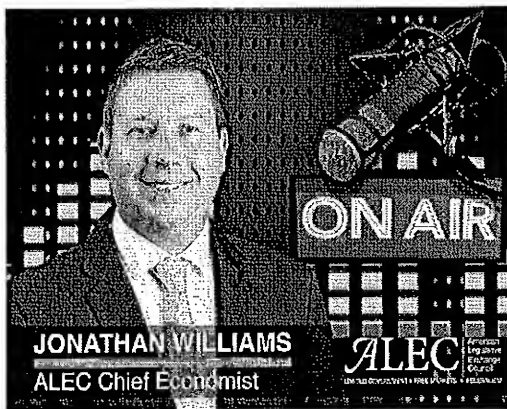
Thu, Nov 9, 2017 at 3:00 PM

To view this email as a web page, go [here](#).**Digital Exchange - November 9, 2017**

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Expert Opinion**Chief Economist Jonathan Williams on WTOP**

Last Friday, ALEC Chief Economist Jonathan Williams was on WTOP where he discussed tax reform and the new tax bill with Hillary Howard and Shawn Anderson.

[Listen Here](#)**States and Nation Policy Summit '17****You're Invited to Nashville**

Pennsylvania Representative Seth Grove encourages you to come to Nashville for the ALEC States and Nation Policy Summit.

There is an excellent lineup of speakers and opportunities to network with like minded legislators from across the country.

[Watch Video](#)



Registration Deadline



Early Bird registration ends today. Act now to attend the States and Nation Policy Summit at the discount rate. Beginning tomorrow, standard attendance rates apply. The Nashville meeting is shaping up to be one of the best ever, and your colleagues have taken notice. The ALEC room block at the main conference hotel is sold out, but visit the ALEC meetings page for a list of alternate accommodations.

[Register Today](#)

Inaugural Rural Caucus Meeting in Nashville



A majority of ALEC members represent rural areas. Together, ALEC member legislators can put in place a real plan of action to bring investment and innovation to rural America. Join your colleagues from across the country on the morning of December 6 at the States and Nation Policy Summit for the inaugural meeting of the ALEC Rural Caucus to start the conversation.

[Register Today](#)

Expert Opinion

How Eliminating the State and Local Tax Deduction Would Lower Tax Rates

This week, ALEC Chief Economist Jonathan Williams and Pennsylvania Representative Seth Grove spoke on a panel at The Heritage Foundation on how eliminating the



state and local tax deduction would policy and tax rates.

[Read More](#)

[Watch Panel](#)

Expert Opinion

Oregon Triggered By Poor Tax Policy

Erica York | Center for State Fiscal Reform



Oregon lawmakers are considering one of the largest tax increases in state history. Triggering the disconnect is a 1979 law unique to Oregon called "the kicker" by which taxpayers sometimes enjoy a partial income tax rebate after a biennium ends.

[Read More](#)

Legislator of the Week

Upholding Constitutional Values in Utah



This week, ALEC and FreedomWorks introduce Utah State Senator Margaret Dayton from the 15th district. Dayton represents Utah County. A previous member of Utah's House of Representatives, Dayton is serving her 10th year in the Salt Lake State's Senate.

[Read More About Sen. Dayton](#)



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Sarah LaTourette Kayser <latoursm@gmail.com>

FW: HB 318 IP Meeting

1 message

Stephen.Harris@ohiohouse.gov <Stephen.Harris@ohiohouse.gov>

Thu, Nov 9, 2017 at 3:09 PM

To: "johnpattersonhd99@gmail.com" <johnpattersonhd99@gmail.com>, "latoursm@gmail.com" <latoursm@gmail.com>

Cc: "Ciara.Price@ohiohouse.gov" <Ciara.Price@ohiohouse.gov>

Reps. Patterson and LaTourette, what do you think of this request?

While I wouldn't necessarily want to exclude anyone who wants to be there, I don't know how much value the student could bring to this particular IP meeting since the purpose is to get in the weeds on the proposed changes. I feel like the student's perspective could be more useful in testimony. I would obviously completely leave this up to both of you though.

Thanks,

Steve

Stephen M. Harris

Legislative Aide to Rep. John Patterson

Ohio House of Representatives - District 99

Stephen.Harris@ohiohouse.gov

614-466-1405



Join Rep. Patterson for his weekly office hours!

Conneaut Human Resources Center - Every 1st Monday, 1-2:30pm

Chardon Library - Every 2nd Monday, 1-2:30

Geneva Senior Center - Every 3rd Friday, 10-11:30am

Ashtabula Library - Every 4th Monday, 12:30-2pm

From: Erin Davies [mailto:edavies@jjohio.org]**Sent:** Thursday, November 09, 2017 2:53 PM**To:** Harris, Stephen <Stephen.Harris@ohiohouse.gov>**Subject:** RE: HB 318 IP Meeting

Great! Would it be OK with you if I brought a young person who is working with us to provide a student perspective? I wasn't sure if you had other students attending as well. Thanks!

7/23/2018

Gmail - FW: HB 318 IP Meeting

erin

From: Stephen.Harris@ohiohouse.gov [mailto:Stephen.Harris@ohiohouse.gov]
Sent: Thursday, November 9, 2017 12:52 PM
To: 'Mike Weinman' <mweinman@fopohio.org>; 'Melissa Clark (clarkm@ohea.org)' <clarkm@ohea.org>; 'Darold Johnson' <djohnson@oft-aft.org>; 'Tom Ash' <ash@basa-ohio.org>; 'Barbara@oasbo-ohio.org' <Barbara@oasbo-ohio.org>; 'kari.parsons@osroa.org' <kari.parsons@osroa.org>; 'michelle@fitzgibbongroup.com' <michelle@fitzgibbongroup.com>; 'mdavis@thesuccessgroup.com' <mdavis@thesuccessgroup.com>; 'Gabriella Celeste' <mgc36@case.edu>; Holly.Cantrell@lsc.ohio.gov; 'Tim Armelli' <tim.armelli@coachhallfoundation.org>; 'frank.hall@aacs.net' <frank.hall@aacs.net>; 'Nancy McArthur' <nmcArthur@windstream.net>; 'Hanlon, Michael' <michael.hanlon@chardonschools.org>; 'Amanda Sines' <amanda@gov-advantage.com>; 'Jay Smith' <jaysmith@ohioschoolboards.org>; 'edavies@jjohio.org' <edavies@jjohio.org>; 'Molly.Rafeld@ohioattorneygeneral.gov' <Molly.Rafeld@ohioattorneygeneral.gov>
Cc: Ciara.Price@ohiohouse.gov
Subject: RE: HB 318 IP Meeting

Hi everyone,

Based on the responses I've received the meeting will be held at **11:00AM next Wednesday, Nov 15 in the West Conference Room on the 13th Floor of the Riffe Center.**

If you're not able to join in person please use the following conference line: [REDACTED] Passcode: [REDACTED]

Thanks,

Steve

Stephen M. Harris

Legislative Aide to Rep. John Patterson

Ohio House of Representatives - District 99

Stephen.Harris@ohiohouse.gov

614-466-1405



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Geneva Senior Center - Every 3rd Friday, 10-11:30am
Ashtabula Library - Every 4th Monday, 12:30-2pm

From: Harris, Stephen
Sent: Wednesday, November 08, 2017 3:23 PM

To: 'Mike Weinman' <mweinman@fopohio.org>; Melissa Clark (clarkm@ohea.org) <clarkm@ohea.org>; 'Darold Johnson' <djohnson@oft-aft.org>; 'Tom Ash' <ash@basa-ohio.org>; Barbara@oasbo-ohio.org; 'kari.parsons@osroa.org' <kari.parsons@osroa.org>; 'michelle@fitzgibbongroup.com' <michelle@fitzgibbongroup.com>; mdavis@thesuccessgroup.com; 'Gabriella Celeste' <mgc36@case.edu>; Holly Cantrell <Holly.Cantrell@isc.ohio.gov>; 'Tim Armelli' <tim.armelli@coachhallfoundation.org>; 'frank.hall@aacs.net' <frank.hall@aacs.net>; 'Nancy McArthur' <nmcarthur@windstream.net>; 'Hanlon, Michael' <michael.hanlon@chardonschools.org>
Cc: Price, Ciara <Ciara.Price@ohiohouse.gov>
Subject: HB 318 IP Meeting

Hj everyone,

We've received a number of suggested changes to HB 318 over the last several weeks. As we continue to track and incorporate changes into a substitute version Reps. Patterson and LaTourette would like to host an IP meeting **next Wednesday, Nov 15** to go over any remaining concerns and finalize language for the sub bill. Some of the possible changes we've discussed so far are already incorporated in the attached sub bill draft, while other possible changes are described in the second attachment with comments from LSC.

LSC is currently working on a new sub bill that will incorporate all of the changes. We believe it would be most useful to have them in a single document, which we hope to have ahead of next Wednesday.

Rep. Patterson is available between 8:30am-2pm next Wednesday, Nov 15. Please "reply all" with what works best for you. The location is currently TBD but will likely be in a conference room in the Riffe. If you're not available please send me and Ciara any feedback you'd like to have discussed at the meeting. We can also set up a conference line for anyone not able to join in person.

Thank you,

Stephen M. Harris

Legislative Aide to Rep. John Patterson

Ohio House of Representatives - District 99

Stephen.Harris@ohiohouse.gov

614-466-1405



Join Rep. Patterson for his weekly office hours!
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Sarah LaTourette Kayser <latoursm@gmail.com>

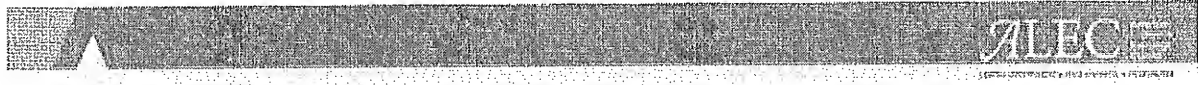
Center for Innovation and Technology Update 11/10/17

1 message

Bartlett Cleland <ahackbarth@alec.org>
To: latoursm@gmail.com

Fri, Nov 10, 2017 at 12:00 PM

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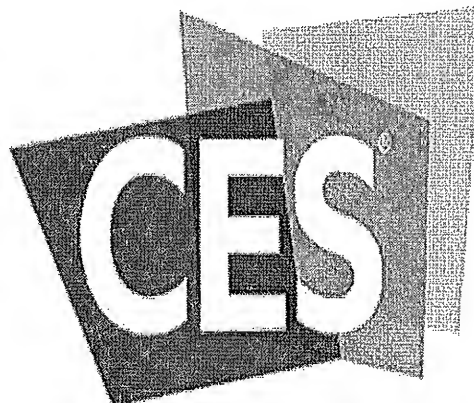
Dear Members,

The American Technology Council, started by President Trump, released a draft report in August detailing how to reorganize government to enhance the delivery of the best IT solutions to support the American people. Much of the planned changes will come to fruition via the General Services Administration (GSA)'s IT schedule. Given that the GSA, which provides centralized procurement for the federal government, is also in the midst of reorganizing and reprioritizing under the direction of a new administration these changes should be relatively easy to implement.

But at this time of determining new priorities, another part of that sprawling agency needs attention as well -- the 18F program. The 18F program has now forced itself into the states having left its federal confines. The program sprawl should be raised during the anticipated confirmation hearing of Emily Murphy, the administration's pick to lead the agency.

The program was begun by the Obama administration with the premise that government needed to recruit commercial-sector information technology talent to assist federal government agencies with their major technology challenges. However, 18F quickly found that their potential internal federal customers were not that interested. So, less than three years after its founding, the mission creep began.

The program expanded its role by actively soliciting and offering services to state and local governments—including end-to-end state program oversight as a systems integrator, federal procurement assistance and federal agency enablement. But as with most Faustian bargains, there is a catch. This offer is often paired with significant pressure from the federal agencies that are responsible for funding portions of these technology projects to the point where states may feel compelled to work with 18F regardless of whether or not those states feel it is in their best interest to do so.



70% of the world's population is forecast to live in cities by 2050.

Smart cities are on the rise. Be part of the discussion on this explosive growth that will influence policies at the Consumer Electronics Show in Las Vegas, NV, January 9-12, 2018.

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The GSA should have absolutely no role seeking contract management from states to perform IT responsibilities, using contractors as subcontractors under procedures that reflect nothing near state procurement laws. In addition to 18F's inexperience performing contract management roles, the full risk of state and local technology contract performance normally placed on a contractor now has been moved to an entity that is exempt from cost or performance risk. When a state or local IT system does not work, who is held liable? Are GSA funds expended to fix whatever issues might be created by 18F? Will the federal government leave states holding the bag?

Although there has been no formal explanation given as to why GSA has pushed itself into the states, significant financial losses that the program has experienced since its inception may be the reason. Failing to convince the federal government to use its own creation, 18F appears to have now moved on to target the states.


The confirmation hearing would be a perfect place and time to ask for a formal explanation as to why GSA has expanded beyond the federal government to compete directly with the private sector. Even better would be to use the time to dissuade the agency from competing with the free market, violating principles of federalism and labeling the expansion of the federal government as innovation.

Sincerely,

Bartlett Cleland
ALEC General Counsel and Chief Strategy and Innovation Officer

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Sarah LaTourette Kayser <latoursm@gmail.com>

Re: HB 318 IP Meeting

1 message

johnpattersonHD99@gmail.com <johnpattersonhd99@gmail.com>

Fri, Nov 10, 2017 at 12:46 PM

To: "Stephen.Harris@ohiohouse.gov" <Stephen.Harris@ohiohouse.gov>

Cc: "latoursm@gmail.com" <latoursm@gmail.com>, "Ciara.Price@ohiohouse.gov" <Ciara.Price@ohiohouse.gov>

As a former teacher, I think this could be a very positive experience for the student. And yes, he/she would make an excellent choice for testimony. I have no problem with this person in attendance.... J

Sent from my iPad

On Nov 9, 2017, at 3:09 PM, "Stephen.Harris@ohiohouse.gov" <Stephen.Harris@ohiohouse.gov> wrote:

Reps. Patterson and LaTourette, what do you think of this request?

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Thanks,

Steve

Stephen M. Harris

Legislative Aide to Rep. John Patterson

Ohio House of Representatives - District 99

Stephen.Harris@ohiohouse.gov

614-466-1405

<image003.jpg>

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Geneva Senior Center - Every 3rd Friday, 10-11:30am
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From: Erin Davies [mailto:edavies@johio.org]
Sent: Thursday, November 09, 2017 2:53 PM
To: Harris, Stephen <Stephen.Harris@ohiohouse.gov>
Subject: RE: HB 318 IP Meeting

Great! Would it be OK with you if I brought a young person who is working with us to provide a student perspective? I wasn't sure if you had other students attending as well. Thanks!

erin

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Sent: Thursday, November 9, 2017 12:52 PM
To: 'Mike Weinman' <mweinman@fopohio.org>; 'Melissa Clark (clarkm@ohea.org)' <clarkm@ohea.org>; 'Darold Johnson' <djohnson@oft-aft.org>; 'Tom Ash' <ash@basa-ohio.org>; 'Barbara@oasbo-ohio.org' <Barbara@oasbo-ohio.org>; 'kari.parsons@osroa.org' <kari.parsons@osroa.org>; 'michelle@fitzgibbongroup.com' <michelle@fitzgibbongroup.com>; 'mdavis@thesuccessgroup.com' <mdavis@thesuccessgroup.com>; 'Gabriella Celeste' <mgc36@case.edu>; Holly.Cantrell@lsc.ohio.gov; 'Tim Armelli' <tim.armelli@coachhallfoundation.org>; 'frank.hall@aacns.net' <frank.hall@aacns.net>; 'Nancy McArthur' <nmcarthur@windstream.net>; 'Hanlon, Michael' <michael.hanlon@chardonschools.org>; 'Amanda Sines' <amanda@gov-advantage.com>; 'Jay Smith' <jaysmith@ohioschoolboards.org>; 'edavies@jjohio.org' <edavies@jjohio.org>; 'Molly.Rafeld@ohioattorneygeneral.gov' <Molly.Rafeld@ohioattorneygeneral.gov>
Cc: Ciara.Price@ohiohouse.gov
Subject: RE: HB 318 IP Meeting

Hi everyone,

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Sent: Wednesday, November 08, 2017 3:23 PM

To: 'Mike Weinman' <mweinman@fopohio.org>; Melissa Clark (clarkm@ohea.org) <clarkm@ohea.org>; 'Darold Johnson' <djohnson@oft-aft.org>; 'Tom Ash' <ash@basa-ohio.org>; Barbara@oasbo-ohio.org; 'kari.parsons@osroa.org' <kari.parsons@osroa.org>; 'michelle@fitzgibbongroup.com' <michelle@fitzgibbongroup.com>; mdavis@thesuccessgroup.com; 'Gabriella Celeste' <mgc36@case.edu>; Holly Cantrell <Holly.Cantrell@lsc.ohio.gov>; 'Tim Armelli' <tim.armelli@coachhallfoundation.org>; 'frank.hall@aacns.net' <frank.hall@aacns.net>; 'Nancy McArthur' <nmcArthur@windstream.net>; 'Hanlon, Michael' <michael.hanlon@chardonschools.org>

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7/23/2018

Gmail - Re: HB 318 IP Meeting



Sarah LaTourette Kayser <latoursm@gmail.com>

Re: HB 318 IP Meeting

1 message

Sarah LaTourette Kayser <latoursm@gmail.com>

Fri, Nov 10, 2017 at 6:51 PM

To: "JohnpattersonHD99@gmail.com" <johnpattersonhd99@gmail.com>

Cc: "Stephen.Harris@ohiohouse.gov" <Stephen.Harris@ohiohouse.gov>, "Ciara.Price@ohiohouse.gov" <Ciara.Price@ohiohouse.gov>

Agreed. I'm happy to have them attend the meeting.

Thanks! Enjoy the weekend!

Sent from my iPhone

On Nov 10, 2017, at 12:46 PM, johnpattersonHD99@gmail.com <johnpattersonhd99@gmail.com> wrote:

As a former teacher, I think this could be a very positive experience for the student. And yes, he/she would make an excellent choice for testimony. I have no problem with this person in attendance.... J

Sent from my iPad

On Nov 9, 2017, at 3:09 PM, "Stephen.Harris@ohiohouse.gov" <Stephen.Harris@ohiohouse.gov> wrote:

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Sarah LaTourette Kayser <latoursm@gmail.com>

Center to Protect Free Speech Monthly Updates

1 message

American Legislative Exchange Council <ahackbarth@alec.org>
To: latoursm@gmail.com

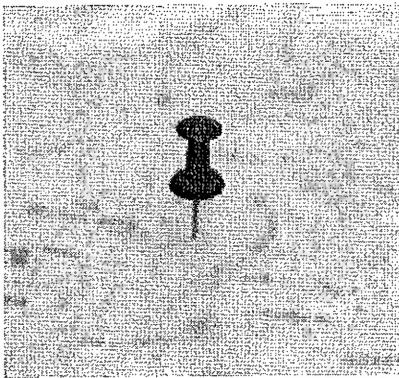
Tue, Nov 14, 2017 at 3:34 PM

To view this email as a web page, go [here](#).**Center to Protect Free Speech - November 14, 2017**

Facebook



Twitter

Have a Free Speech Briefing in Your StateContact Shelby Emmett for more information: Semmett@alec.org

The Center to Protect Free Speech is currently holding a series of free speech issue briefings for state legislators at state capitols across the United States! These briefings cover the issues of campus speech, donor privacy and commercial speech. We have already held briefings in South Carolina, Michigan, Utah and West Virginia and are continuing to hold briefings in the fall.

If you are interested in having an issue briefing in your state on free speech, click below and Shelby Emmett will reach out to you soon.

[Schedule Yours Today](#)**In the News****Cap·impact Interview – Protecting Free Speech with Shelby Emmett**Jon Wainwright | *Cap·impact*

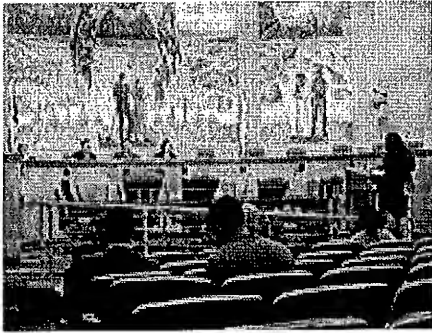
Shelby Emmett, Director of the Center to Protect Free Speech at ALEC, interviewed with Cap·impact, a project of the Capital Center for Law & Policy at McGeorge School of Law. Listen to hear what she has to say about how ALEC works to protect free speech.

[View Article](#)

Campus Speech

ALEC Free Speech Director Advises CA Senate on Protecting Campus Free Speech

Shelby Emmett | Center to Protect Free Speech

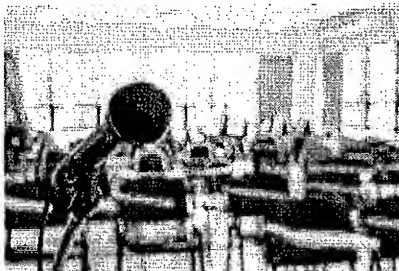


Center to Protect Free Speech Director Shelby Emmett testified before the California Senate Committee on Public Safety at the invitation of ALEC member and California State Senator Joel Anderson.

[View Video](#)

Federal and State Leaders Take Promising Steps Towards Protecting Campus Free Speech

Dan Moran | Center to Protect Free Speech



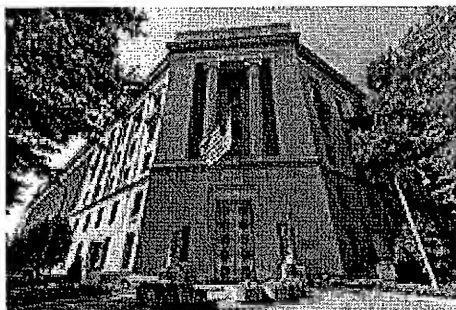
By making First Amendment rights on college campuses a priority, leaders like Attorney General Sessions and Lieutenant Governor Patrick are poised to make a difference not only in the specific cases they pursue but across the country as legislators and other leaders watch, learn and hopefully, follow suit. With policies that enhance free speech environments by lifting restrictions and protecting everyone's right to speak, protest and counter-protest lawfully, college campuses can be the centers of exchanging ideas they were meant to be.

[View Article](#)

Donor Privacy

Victory for Free Speech and Donor Privacy: Justice Dept. Settles with Conservative Groups Wrongly Targeted by IRS

Daniel Turner & Joel Griffith | American Legislative Exchange Council



Attorney General Sessions stated "And it should also be without question that our First Amendment prohibits the federal government from treating groups differently based solely on their viewpoint or ideology." Needless to say, the tax code should never be weaponized by the federal government into a tool for suppressing particular political perspectives.

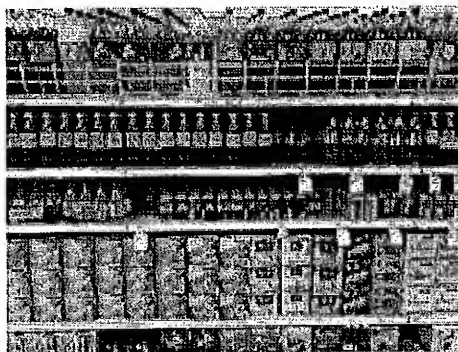
[View Article](#)

Commercial Speech

Court Pops San Francisco Officials' Bubble: No, You Can't Use Commercial Speech Restrictions

to Push Your Agenda

Daniel Turner | Center for Protect Free Speech



What will it take for officials to learn? Prohibiting speech or compelling speech in the marketplace is not the way to deal with products or services they do not like. It is an easy way to get sued and to have one's regulation blocked on protected commercial speech grounds. This recently occurred in *American Beverage Association v. City and County of San Francisco*.

[View Article](#)
Approaching Free Speech Issues**Happy Halloween: The Spooky Consequence of Criminalizing Freedom of Expression**

Shelby Emmett & Ronald Lampard | American Legislative Exchange Council



This Halloween, many states are considering outlawing the wearing of masks. Why? The news of late has been filled with scenes of American protests gone wrong. Whether it is the chaos at Berkeley or the horrific events that unfolded in Charlottesville, protesting has turned from something to celebrate to something to fear. In response to this fear, some states have sought to solve this problem by criminalizing the wearing of masks, hoods, or helmets. Will this apply to trick-or-treaters, especially those who cry in protest from the type of candy at the door? Will ungrateful children be forced to remove their masks and show their tears? The proposed laws may not go that far but they are close.

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2900 Crystal Drive, Suite 600 Arlington, VA 22202 United States

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Sarah LaTourette Kayser <latoursm@gmail.com>

FW: Meeting Re-cap

1 message

Stephen.Harris@ohiohouse.gov <Stephen.Harris@ohiohouse.gov>

Wed, Nov 15, 2017 at 1:10 PM

To: "johnpattersonhd99@gmail.com" <johnpattersonhd99@gmail.com>, "Ciara.Price@ohiohouse.gov" <Ciara.Price@ohiohouse.gov>, "latoursm@gmail.com" <latoursm@gmail.com>

Please see below and confirm that everything looks ok. Let me know if you think we need to get clarification on any of the changes from any specific IPs.

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From: Holly Cantrell**Sent:** Wednesday, November 15, 2017 1:04 PM**To:** Harris, Stephen <Stephen.Harris@ohiohouse.gov>**Subject:** Meeting Re-cap

Stephen,

I noted the following requested changes during the meeting. Please let me know if these listed changes are accurate and reflect Representative Patterson's intent. Also, please let me know if I missed something or if he has further instruction.

- Line 11: Replace "109.79" with "109.77" (and make corresponding changes flowing from that in lines 10-12) (Note, I briefly reviewed that section. I may have some clarifying questions once I actually begin drafting).
- Line 14: After "entities" insert "as approved by the Ohio peace officer training commission" and around that area require the Peace Officer Training Commission to adopt rules regarding the approval of certified programs.

- Lines 17-40: Remove the "other association" and instead make the listed course specifics requirements that the National or Ohio SRO Association has to include in their training programs.
- Line 75: replace "serious and immediate threat" with "reasonable suspicion that the student has on the student's person a weapon capable of serious bodily injury"
- Delete lines 86-92 and insert "Using developmentally appropriate language, the officer advises the student of the student's rights under Miranda v. Arizona . . . " (Note on this. If you would like, I can talk with Judiciary to see if the case citation is necessary or if we could simply call them "Miranda rights.")
- Lines 117-125: Add that a reasonable similarly aged person in the student's position would consider themselves to be in custody"
- Lines 128-130: Replace "law enforcement officer" with "peace officer" (and make corresponding changes throughout the bill)..
- (Unclear) There was a suggestion to add "disruptive conduct" in addition to disorderly conduct, but I failed to notate whether this change was agreed upon or discarded.

I look forward to talking with you soon, and in the meantime, I will begin drafting.

Kindest Regards,

Holly Cantrell Gilman

Attorney

Ohio Legislative Service Commission

(614) 466-5041

From: Harris, Stephen

Sent: Tuesday, November 14, 2017 2:06 PM

To: 'Mike Weinman'; 'Melissa Clark (clarkm@ohea.org)'; 'Darold Johnson'; 'Tom Ash'; 'Barbara@oasbo-ohio.org'; 'kari.parsons@osroa.org'; 'michelle@fitzgibbongroup.com'; 'mdavis@thesuccessgroup.com'; 'Gabriella Celeste'; Holly Cantrell; 'Tim Armelli'; 'frank.hall@aacs.net'; 'Nancy McArthur'; 'Hanlon, Michael'; 'Amanda Sines'; 'Jay Smith'; 'edavies@jjohio.org'; 'Molly.Rafeld@ohioattorneygeneral.gov'; Lawlor, Allison

Cc: Price, Ciara

Subject: RE: HB 318 IP Meeting

Hi everyone,

Attached is the latest draft of the sub bill, which we will be working from in tomorrow's meeting.

Steve

Stephen M. Harris

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Cc: "Clara.Price@ohiohouse.gov" <Clara.Price@ohiohouse.gov>, "latoursm@gmail.com" <latoursm@gmail.com>

Wed, Nov 15, 2017 at 5:20 PM

Hi Holly!

According to my notes, you have addressed all the concerns. Please do reach out to Judiciary regarding the Miranda rights.... Finally, "disruptive conduct" I believe, and anyone can correct me here, that we agreed to leave language as is. Thoughts from others?

Thanks for hanging in there with us, Holly:) Thanks to all! JP

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614-466-1405

<image003.jpg>

Join Rep. Patterson for his weekly office hours!
Conneaut Human Resources Center - Every 1st Monday, 1-2:30pm
Chardon Library - Every 2nd Monday, 1-2:30
Geneva Senior Center - Every 3rd Friday, 10-11:30am
Ashtabula Library - Every 4th Monday, 12:30-2pm

From: Holly Cantrell
Sent: Wednesday, November 15, 2017 1:04 PM
To: Harris, Stephen <Stephen.Harris@ohiohouse.gov>
Subject: Meeting Re-cap

Stephen,

I noted the following requested changes during the meeting. Please let me know if these listed changes are accurate and reflect Representative Patterson's intent. Also, please let me know if I missed something or if

he has further instruction.

- Line 11: Replace "109.79" with "109.77" (and make corresponding changes flowing from that in lines 10-12) (Note, I briefly reviewed that section. I may have some clarifying questions once I actually begin drafting).
- Line 14: After "entities" insert "as approved by the Ohio peace officer training commission" and around that area require the Peace Officer Training Commission to adopt rules regarding the approval of certified programs.
- Lines 17-40: Remove the "other association" and instead make the listed course specifics requirements that the National or Ohio SRO Association has to include in their training programs.
- Line 75: replace "serious and immediate threat" with "reasonable suspicion that the student has on the student's person a weapon capable of serious bodily injury"
- Delete lines 86-92 and insert "Using developmentally appropriate language, the officer advises the student of the student's rights under Miranda v. Arizona . . ." (Note on this. If you would like, I can talk with Judiciary to see if the case citation is necessary or if we could simply call them "Miranda rights."
- Lines 117-125: Add that a reasonable similarly aged person in the student's position would consider themselves to be in custody"
- Lines 128-130: Replace "law enforcement officer" with "peace officer" (and make corresponding changes throughout the bill)..
- (Unclear) There was a suggestion to add "disruptive conduct" in addition to disorderly conduct, but I failed to notate whether this change was agreed upon or discarded.

I look forward to talking with you soon, and in the meantime, I will begin drafting.

Kindest Regards,

Holly Cantrell Gilman

Attorney

Ohio Legislative Service Commission

(614) 466-5041

From: Harris, Stephen

Sent: Tuesday, November 14, 2017 2:06 PM

To: 'Mike Weinman'; 'Melissa Clark (clarkm@ohea.org)'; 'Darold Johnson'; 'Tom Ash'; 'Barbara@oasbo-ohio.org'; 'kari.parsons@osroa.org'; 'michelle@fitzgibbongroup.com'; 'mdavis@thesuccessgroup.com'; 'Gabriella Celeste'; Holly Cantrell; 'Tim Armelli'; 'frank.hall@aacs.net'; 'Nancy McArthur'; 'Hanlon, Michael'; 'Amanda Sines'; 'Jay Smith'; 'edavies@johio.org'; 'Molly.Rafeld@ohioattorneygeneral.gov'; Lawlor, Allison

Cc: Price, Ciara

Subject: RE: HB 318 IP Meeting

Hi everyone,

Attached is the latest draft of the sub bill, which we will be working from in tomorrow's meeting.

Steve

Stephen M. Harris

Legislative Aide to Rep. John Patterson

Ohio House of Representatives - District 99

Stephen.Harris@ohiohouse.gov

614-466-1405

<image001.jpg>

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Ashtabula Library - Every 4th Monday, 12:30-2pm

From: Harris, Stephen

Sent: Thursday, November 09, 2017 12:52 PM

To: 'Mike Weinman' <mweinman@fopohio.org>; 'Melissa Clark (clarkm@ohea.org)' <clarkm@ohea.org>; 'Darold Johnson' <djohnson@oft-aft.org>; 'Tom Ash' <ash@basa-ohio.org>; 'Barbara@oasbo-ohio.org' <Barbara@oasbo-ohio.org>; 'kari.parsons@osroa.org' <kari.parsons@osroa.org>; 'michelle@fitzgibbongroup.com' <michelle@fitzgibbongroup.com>; 'mdavis@thesuccessgroup.com' <mdavis@thesuccessgroup.com>; 'Gabriella Celeste' <mgc36@case.edu>; Holly Cantrell <Holly.Cantrell@lsc.ohio.gov>; 'Tim Armelli' <tim.armelli@coachhallfoundation.org>; 'frank.hall@aacs.net' <frank.hall@aacs.net>; 'Nancy McArthur' <nmcArthur@windstream.net>; 'Hanlon, Michael' <michael.hanlon@chardonschools.org>; 'Amanda Sines' <amanda@gov-advantage.com>; 'Jay Smith' <jaysmith@ohioschoolboards.org>; 'edavies@jjohio.org' <edavies@jjohio.org>; 'Molly.Rafeld@ohioattorneygeneral.gov' <Molly.Rafeld@ohioattorneygeneral.gov>

Cc: Price, Ciara <Ciara.Price@ohiohouse.gov>

Subject: RE: HB 318 IP Meeting

Hi everyone,

Based on the responses I've received the meeting will be held at **11:00AM next Wednesday, Nov 15 in the West Conference Room on the 13th Floor of the Riffe Center.**

If you're not able to join in person please use the following conference line: [REDACTED] Passcode: [REDACTED]

Thanks,

Steve

Stephen M. Harris

Legislative Aide to Rep. John Patterson

Ohio House of Representatives - District 99

Stephen.Harris@ohiohouse.gov

614-466-1405

<image001.jpg>

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Ashtabula Library - Every 4th Monday, 12:30-2pm

From: Harris, Stephen

Sent: Wednesday, November 08, 2017 3:23 PM

To: 'Mike Weinman' <mweinman@fopohio.org>; Melissa Clark (clarkm@ohea.org) <clarkm@ohea.org>; 'Darold Johnson' <djohnson@oft-aft.org>; 'Tom Ash' <ash@basa-ohio.org>; Barbara@oasbo-ohio.org; 'kari.parsons@osroa.org' <kari.parsons@osroa.org>; 'michelle@fitzgibbongroup.com' <michelle@fitzgibbongroup.com>; mdavis@thesuccessgroup.com; 'Gabriella Celeste' <mgc36@case.edu>; Holly Cantrell <Holly.Cantrell@lsc.ohio.gov>; 'Tim Armelli' <tim.armelli@coachhallfoundation.org>; 'frank.hall@aacs.net' <frank.hall@aacs.net>; 'Nancy McArthur' <nmcArthur@windstream.net>; 'Hanlon, Michael' <michael.hanlon@chardonschools.org>

Cc: Price, Ciara <Ciara.Price@ohiohouse.gov>

Subject: HB 318 IP Meeting

Hi everyone,

We've received a number of suggested changes to HB 318 over the last several weeks. As we continue to track and incorporate changes into a substitute version Reps. Patterson and LaTourette would like to host an IP meeting **next Wednesday, Nov 15** to go over any remaining concerns and finalize language for the sub bill. Some of the possible changes we've discussed so far are already incorporated in the attached sub bill draft, while other possible changes are described in the second attachment with comments from LSC.

LSC is currently working on a new sub bill that will incorporate all of the changes. We believe it would be most useful to have them in a single document, which we hope to have ahead of next Wednesday.

Rep. Patterson is available between 8:30am-2pm next Wednesday, Nov 15. Please "reply all" with what works best for you. The location is currently TBD but will likely be in a conference room in the Riffe. If you're not available please send me and Ciara any feedback you'd like to have discussed at the meeting. We can also set up a conference line for anyone not able to join in person.

Thank you,

Stephen M. Harris

Legislative Aide to Rep. John Patterson

Ohio House of Representatives - District 99

Stephen.Harris@ohiohouse.gov

614-466-1405

<image001.jpg>

Join Rep. Patterson for his weekly office hours!

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Ashtabula Library - Every 4th Monday, 12:30-2pm



Sarah LaTourette Kayser <latoursm@gmail.com>

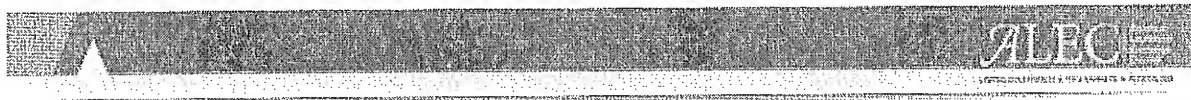
Your ALEC Digital Exchange 11/16/2017

1 message

American Legislative Exchange Council <ahackbarth@alec.org>
To: latoursm@gmail.com

Thu, Nov 16, 2017 at 12:31 PM

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**Digital Exchange - November 16, 2017**

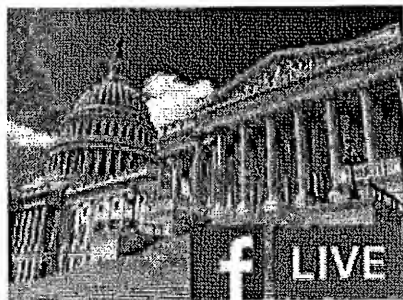
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RSVP: Congressional Tax Call With Rep. McMorris Rodgers

Friday, November 17, at 11:30 AM (EST) House GOP Conference Chair Cathy McMorris Rodgers (WA) invites ALEC members to join a State Advisory Call to discuss the latest developments on the House and Senate tax bills. It's a great opportunity to learn about the prospects for passage from an ALEC alumna.

[RSVP for Call](#)**ALEC On Capitol Hill****Tune-in to the ALEC Facebook Live Event: "A Tale of Two States: KS vs. NC"**

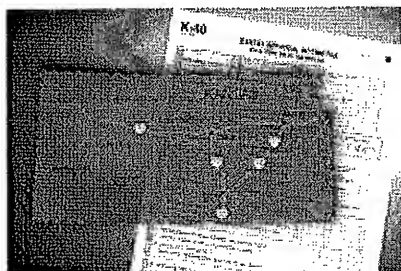
What can federal policymakers learn from two of the most significant tax reform case studies? Tune-in Monday, November 20; 12:30PM (EST), to watch this ALEC Facebook Live U.S. Capitol event featuring Jonathan Williams, ALEC Chief Economist, and Grover Norquist, President Americans for Tax Reform. Joining them are ALEC legislators Ty Masterson (KS) and Jason Saine (NC). To view the event go to: facebook.com/alec.states

[Facebook](#)

Tax Reform

Distinguishing Myth from Reality: The Kansas Tax Reform Effort

Jonathan Williams & Joel Griffith | Center for State Fiscal Reform



Tax policy changes in Kansas have received more media attention than any other state-level fiscal reforms in recent memory – even though many successful pro-growth tax reforms took place in states like North Carolina. It's a myth promulgated by the tax and spend crowd that Kansas' economic difficulties can be pinned on this. The data indicates otherwise.

[Read Article](#)

States and Nation Policy Summit '17

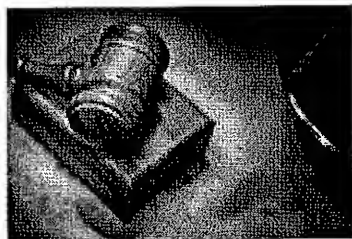
Join Us at SNPS



As the December 6th policy meeting gets closer, ALEC has a list of alternate lodging for those still in need of accommodation. This year's event is forecast to be one of our largest. Don't miss out on hearing from political leaders and the opportunity to attend our workshops. It's a terrific networking experience. Visit the ALEC meetings page for more information.

[Register Today](#)

All Model Policies for Consideration Now Online

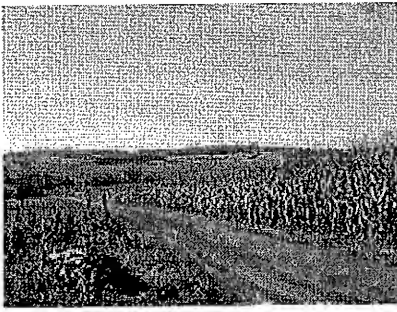


All model policies up for consideration at State & Nations Policy Summit are now online to be reviewed in preparation for the December 6 - 8 meeting in Nashville

[View Model Policies](#)

Attend Inaugural Rural Caucus Meeting in Nashville

With a majority of ALEC legislators representing rural America, we are launching the *ALEC Rural Caucus*. Working together, we can put in place a plan of action to spur investment and innovation. Join your colleagues on the morning of December 6 at the



States and Nation Policy Summit for the inaugural meeting of the ALEC Rural Caucus.

[Register Today](#)

Expert Opinion

School Choice for Military Families is Good for National Security

Inez Feltcher Stepman | Education and Workforce Development



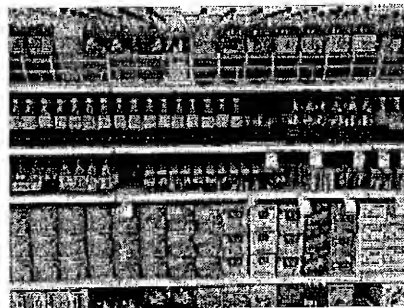
The lack of educational options is a main reason service families leave the military and return to the private sector. Inez Fletcher Stepman, Director of the Education and Workforce Development Task Force at ALEC, recommends giving military families a choice of schools, saying, "We must ensure that no one in uniform has to worry about their children's educations." Stepman recently moderated a panel on this issue at the Heritage Foundation.

[Read Article](#)

Expert Insight

Court Pops San Francisco Officials' Bubble

Daniel Turner | Center to Protect Free Speech



Prohibiting speech or compelling speech in the marketplace is not the way to deal with products or services that lawmakers do not like. It is an easy way to get sued and to have one's regulation blocked on protected commercial speech grounds. This recently occurred in American Beverage Association v. City and County of San Francisco.

[Read More](#)

Legislator of the Week

Restoring the Balance of Power

Utah State Representative Brian Greene is a leader in criminal justice reform and occupational licensing issues. He believes the biggest issue to face his state is "not a particular policy issue but, rather the threat to liberty and good limited government posed by the weakening of the legislative branch in comparison to

7/24/2018

Gmail - Your ALEC Digital Exchange 11/16/2017



the executive branch." This series of state legislator profiles is brought to you by ALEC and FreedomWorks.

[Read More About Rep. Greene](#)



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Sarah LaTourette Kayser <latoursm@gmail.com>

Your ALEC Events and Education Update 11/21/2017

1 message

American Legislative Exchange Council <ahackbarth@alec.org>
To: latoursm@gmail.com

Tue, Nov 21, 2017 at 12:00 PM

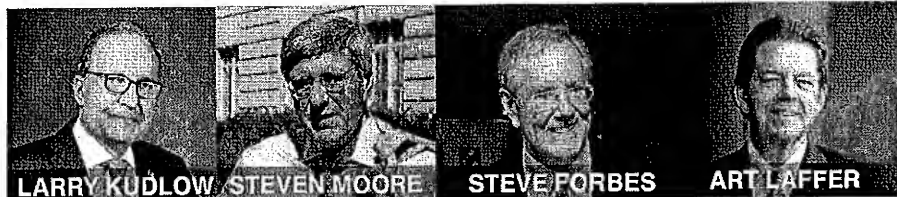
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**Events and Education - November 21, 2017**

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States and Nation Policy Summit Update

As the December 6 policy meeting gets closer, ALEC has a list of alternate lodging for those still in need of accommodation. This year's event is forecast to be one of the largest. Don't miss out on hearing from political leaders and the opportunity to attend the workshops. Visit the ALEC meetings page for more information.

[Register Today](#)**Speaker Highlight****The Conservative Millennial - Allie Stuckey**

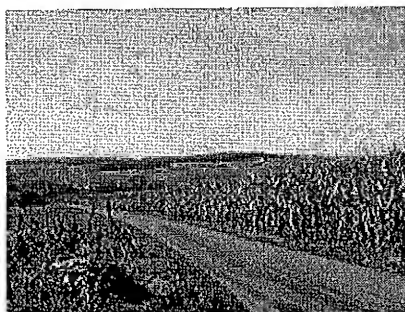
Allie Stuckey is a native of Dallas, TX, and is a conservative blogger and political commentator. Her video blog, The Conservative Millennial, has garnered an audience of more than 220,000 in a little of a year. Allie's passion is engaging millennials and college students in culture and politics from a conservative perspective.

Allie will be speaking at the SNPS Thursday lunch.



New Caucus Update

Attend Inaugural Rural Caucus Meeting in Nashville



With a majority of ALEC legislators representing rural America, we are launching the *ALEC Rural Caucus*. Working together, we can put in place a plan of action to spur investment and innovation. Join your colleagues on the morning of December 6 at the States and Nation Policy Summit for the inaugural meeting of the ALEC Rural Caucus.

[Register Today](#)

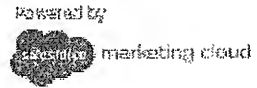
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Gmail - Your ALEC Events and Education Update 11/21/2017

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Sarah LaTourette Kayser <latoursm@gmail.com>

Ohio Report, Wednesday, November 22, 2017

1 message

Gongwer News Service <gongwerreports@gongwer-oh.com>
To: sml@sarahlatourette.com

Wed, Nov 22, 2017 at 5:55 PM

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OHIO REPORT WEDNESDAY, NOVEMBER 22

Senate President: Energy Standards Bill Among Senate Priorities For December, Early 2018

Higher Ed Capital Budget Focus To Remain On Maintaining Investments

JCARR Chairman Continues Pushing PUCO For Answers On Submetering Ruling

Barron To Replace Mauk As Senate Chief Of Staff

Court To Hear Case On Jail Credit For Prisoners Who Committed Gun Crimes

FirstEnergy Subsidiary Accuses OCC Of 'Speculation And Conjecture' Regarding Potential Bankruptcy

Nearly 50,000 Ohioans Sign Up For Exchange Plans Through First Three Weeks; Johnson To Lead NOPH; Actuary Says SERS Funding Level Increased...

Portman, Gee To Deliver Commencement Speeches; Chancellor Promotes Higher Ed Successes; OSU Law School Students Win Mock Trial Competition

OSU Advocates For Nondiscrimination Policies; County Launches Pre-Apprenticeship Program; DSW Reports Earnings

**Agency Briefs: Communities Awarded Housing Grants; Labor Force;
ODA; OEPA; PUCO; ODNR**

Governor's Appointments

Supplemental Agency Calendar

Supplemental Event Planner

CALENDARS

Day Planner

Legislative Committee Schedules

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3 attachments



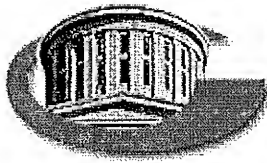
171122dayplan.htm
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Nov23Schedule.htm
73K



Nov22.htm
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Daily Activity Planner for Thursday, November 23

Legislative Committees

No legislative committees scheduled.

Agency Calendar

No agency meetings scheduled.

Event Planner

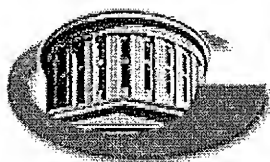
No events scheduled.

17 S. High St., Suite 630
Columbus Ohio 43215

Phone: 614-221-1992 | **Fax:** 614-221-7844 | **Email:** gongwer@gongwer-oh.com

Scott Miller, President | Kent Cahlander, Editor | Melissa Dilley, Mike Livingston, Dustin Ensinger, Jon Reed,
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The Record of Capitol Square Since 1906

Legislative Committee Schedules beginning 11/23/2017

Tuesday, November 28

House Finance (Committee Record) (Chr. Smith, R., 466-1366), Rm. 313, 9 a.m.

HBBROADBAND EXPANSION (Carfagna, R.) To establish the residential broadband expansion program **281** within the Development Services Agency to award matching grants for last mile broadband expansion in municipal corporations and townships and to make an appropriation. (2nd Hearing-All testimony)

HBDATAOHIO BOARD (Duffey, M., Hagan, C.) To create the DataOhio Board, to specify requirements for **3** posting public records online, to require the Auditor of State to adopt rules regarding a uniform accounting system for public offices, to establish an online catalog of public data at data.ohio.gov, to establish the Local Government Information Exchange Grant Program, and to make appropriations. (2nd Hearing-All testimony-Possible amendments & vote)

HBBROADBAND GRANTS (Smith, R., Cera, J.) To create the Ohio Broadband Development Grant Program **378** and to make an appropriation. (1st Hearing-Sponsor)

House Ways & Means (Committee Record) (Chr. Schaffer, T., 466-8100), Rm. 121, 9 a.m.

HB PROPERTY VALUES (Merrin, D.) To require local governments that contest property values to formally **343** pass an authorizing resolution for each contest and to notify property owners. (3rd Hearing-All testimony)

HB PROPERTY TAX (Merrin, D.) To exempt from property taxation the increased value of land subdivided **371** for residential development until construction commences or the land is sold. (3rd Hearing-All testimony)

House Financial Institutions, Housing & Urban Development (Committee Record) (Chr. Dever, J., 466-8120), Rm. 114, 9 a.m.

HBFORCIBLE ENTRY (Merrin, D.) To clarify how to calculate certain timelines under which a forcible entry **390** and detainer action must occur. (1st Hearing-Sponsor)

HBCREDIT FREEZES (Henne, M., Kelly, B.) To modify the fees that a credit reporting agency can charge in **386** relation to a credit report freeze. (1st Hearing-Sponsor)

HBSTATE FINANCES (Hagan, C., Roegner, K.) To create the Long-range Financial Outlook Council for the **320** purpose of informing the public and the General Assembly about the financial status of the state by studying financial and other conditions and issuing an annual long-range financial outlook report. (2nd Hearing-Proponent)

HBUNCLAIMED FUNDS (Reineke, B.) To exempt certain open-loop prepaid cards, closed-loop prepaid **353** cards, and rewards cards from the Unclaimed Funds Law. (3rd Hearing-All testimony-Possible amendments)

HBCRIMINAL MISCHIEF (Hambley, S.) To expressly prohibit criminal mischief relating to residential rental **282** property and to prohibit a metropolitan housing authority from renting or providing housing assistance to a person who has recently been convicted of criminal mischief relating to residential rental property. (4th Hearing-All testimony-Possible amendments)

HBPYRAMID SCHEMES (Pelanda, D.) To modify the law governing pyramid promotional schemes. (4th **329** Hearing-All testimony-Possible vote)

Senate Judiciary (*Committee Record*) (Chr. Bacon, K., 466-8064), North Hearing Rm., 10:15 a.m.

SB CHILD SUPPORT (Beagle, B.) To make changes to the laws governing child support. (6th Hearing-
125Possible vote)

HBSTRUCTURED SETTLEMENTS (Dever, J.) Relative to transfers of structured settlement payment rights.
223(3rd Hearing-All testimony-Possible amendments & vote)

SB VEHICLE TOWING (Terhar, L.) To require only one notice to be sent to a vehicle owner and any known
194lienholder after a vehicle is towed from a private tow-away zone. (1st Hearing-Sponsor)

SB OFFENDER DATABASE (Gardner, R.) To provide for a violent offender database, require violent
231offenders to enroll in the database, and name those provisions of the act "Sierah's Law;" to modify the
membership and duties of the Ex-Offender Reentry Coalition and eliminate its repeal; to require halfway
houses to use the single validated risk assessment tool for adult offenders that the Department of
Rehabilitation and Correction has developed; and to provide that the notice of release from prison of
specified serious offense offenders that is given to sheriffs is to be the same as that provided to prosecuting
attorneys and eliminate the notice to sheriffs regarding pardons, commutations, paroles, and transitional
control transfers of offenders. (1st Hearing-Sponsor & proponent)

SB TESTIMONIAL PRIVILEGE (Eklund, J.) To provide generally a testimonial privilege for
41 communications between a qualified advocate rendering advocacy services and a victim of sexual violence,
menacing by stalking, or domestic violence, to exempt the nondisclosure of that privileged communication
from the offense of failure to report a crime, to require a qualified advocate to report knowledge or
reasonable suspicion of child abuse or neglect of the victim except for privileged communications, and to
specify circumstances in which the victim is considered to have waived the privilege. (1st Hearing-Sponsor
& Possible amendments)

SB STRANGULATION (Kunze, S.) To expand the offense of felonious assault to include knowingly causing
207or attempting to cause physical harm to another person by means of strangulation or suffocation. (2nd
Hearing-Proponent)

SB WEAPON POSSESSION (Terhar, L.) To allow a law enforcement officer or investigator, whether on or off
208duty, to carry a weapon on certain premises open to the public. (2nd Hearing-Proponent)

SB FIREARMS (Terhar, L.) To waive the concealed carry license fee for active members of the armed forces
81 and retired and honorably discharged veterans, to accept military experience with firearms as proof of
competency with firearms regardless of when the applicant for a license acquired the experience, to permit a
licensee to renew a concealed handgun license at any time before the expiration of the license, and to require
the Attorney General to monitor the number of license fees waived and cap the total amount allowed to be
waived at \$1.5 million. (2nd Hearing-Proponent)

Senate Finance (*Committee Record*) (Chr. Oelslager, S., 466-0626), Finance Hearing Rm., 11:30 a.m.

HB FANTASY CONTESTS (Dever, J., McColley, R.) To grant the Ohio Casino Control Commission the
132 authority to regulate fantasy contests and to exempt fantasy contests from the gambling laws. (5th Hearing-
All testimony-Possible amendments & vote)

House Rules & Reference (*Committee Record*) (Chr. Rosenberger, C., 466-3506), Rm. 119, 12 p.m.

House Economic Development, Commerce & Labor (*Committee Record*) (Chr. Young, R., 644-6074), Rm. 113, 1:30
p.m.

HB OUTDOOR DINING AREAS (Lanese, L.) To generally allow an owner, keeper, or harborer of a dog to
263 take the dog in an outdoor dining area of a retail food establishment or food service operation. (5th Hearing-
All testimony-Possible substitute)

HB STEEL WELDING (Perales, R., Dever, J.) To establish in the Ohio Building Code requirements pertaining
127 to structural steel welding and bridge welding. (3rd Hearing-All testimony-Possible amendments)

HB APIARY DAMAGES (Stein, D.) To grant specified apiary owners immunity in personal injury or property damage cases. (1st Hearing-Sponsor)

House Energy & Natural Resources (Committee Record) (Chr. Landis, A., 466-8035), Rm. 018, 2:30 p.m.

HBBRINE SALES (DeVitis, T., O'Brien, M.) To authorize a person to sell brine derived from an oil and gas operation that is processed as a commodity for use in surface application in deicing, dust suppression, and other applications. (1st Hearing-Sponsor)

HBOIL GAS WELLS (Thompson, A.) To allow a landowner to report an idle and orphaned well or abandoned well, to require the Chief of the Division of Oil and Gas Resources Management to inspect and classify such a well, to require the Chief to begin plugging a well classified as distressed-high priority within a specified time period, and to authorize an income tax deduction for reimbursements paid by the state to a landowner for costs incurred to plug an idle or orphaned well. (3rd Hearing-All testimony-Possible substitute)

House Public Utilities (Committee Record) (Chr. Cupp, R., 466-9624), Rm. 116, 3 p.m.

HBUTILITY LAW (Romanchuk, M.) To require refunds to utility customers who have been improperly charged, to eliminate electric security plans and require all electric standard service offers to be delivered through market-rate offers, and to strengthen corporate separation requirements. (2nd Hearing-Proponent)

House Education & Career Readiness (Committee Record) (Chr. Brenner, A., 644-6711), Rm. 121, 4 p.m.

- Presentation from State Superintendent Paolo DeMaria on science, social studies and financial literacy revised standards

HB COMMUNITY SCHOOLS (Hambley, S.) Regarding verification of community school enrollments. (5th Hearing-All testimony-Possible vote)

HB SCHOOL CHOICE (Koehler, K.) To eliminate the Educational Choice Scholarship Pilot Program and Pilot Project Scholarship Program and to create the Opportunity Scholarship Program. (8th Hearing-All testimony-Possible amendments)

Wednesday, November 29

House Health (Committee Record) (Chr. Huffman, S., 466-8114), Rm. 121, 9 a.m.

SB DAY DESIGNATION (Eklund, J.) To designate September 25 as 'International Ataxia Awareness Day' in Ohio. (1st Hearing-Sponsor)

HB ANATOMICAL GIFTS (Antani, N.) Regarding anatomical gifts, transplantation, and discrimination on the basis of disability. (4th Hearing-All testimony-Possible vote)

HB NEWBORN SCREENING (Boggs, K., Butler, J.) To include spinal muscular atrophy as an additional disorder to be screened for under the Newborn Screening Program. (1st Hearing-Sponsor)

HB PHYSICAL THERAPY (Gavarone, T., Reineke, B.) To modify the laws governing the practice of physical therapy. (5th Hearing-All testimony-Possible vote)

HB ABORTION (Hagan, C., Hood, R.) To generally prohibit an abortion of an unborn human individual with a detectable heartbeat and to create the Joint Legislative Committee on Adoption Promotion and Support. (2nd Hearing-Proponent)

House Transportation & Public Safety (Committee Record) (Chr. Green, D., 644-6034), Rm. 017, 9 a.m.

HBROAD NAMING (Faber, K.) To designate a portion of State Route 705 in Shelby County as the "Michael J. Aselage Memorial Highway." (1st Hearing-All testimony-Possible amendments)

HBDRIVING PRIVILEGES (Butler, J., Sykes, E.) To require a court to grant limited driving privileges to a 260 person in relation to a driver's license suspension under certain circumstances. (3rd Hearing-Opponent & interested party-Possible vote)

HBVEHICLE TITLES (Hagan, C.) To allow owners of a motor vehicle, watercraft, or outboard motor who 297 have joint ownership with right of survivorship to transfer title through a transfer-on-death designation. (3rd Hearing-Opponent & interested party-Possible amendments & vote)

HBROAD NAMINGS (Boccieri, J.) To designate a portion of U.S. Route 224 in Mahoning County as the 294 "Patrolman Charles K. Yates Memorial Highway" and a portion of State Route 170 in Mahoning County as the "Patrolman Richard E. Becker Memorial Highway." (1st Hearing-All testimony-Possible vote)

HBPICNIC AREA NAMING (Arndt, S., Stein, D.) To designate a picnic area in Kelleys Island State Park as 316 the "Henry T. Beatty Memorial Picnic Area." (1st Hearing-All testimony-Possible vote)

HBLICENSE PLATE (Ingram, C., Kelly, B.) To create the "Cincinnati City School District" license plate. (1st 328 Hearing-All testimony-Possible vote)

HBBUSINESS INCOME (Scherer, G.) To provide that wages and guaranteed payments paid by a professional 334 employer organization to the owner of a pass-through entity that has contracted with the organization may be considered business income. (1st Hearing-All testimony-Possible vote)

Senate Ways & Means (Committee Record) (Chr. Eklund, J., 644-7718), South Hearing Rm., 9 a.m.

HBTF DISTRICTS (Cupp, R.) To require reimbursement of certain township fire and emergency medical 69 service levy revenue forgone because of the creation of a municipal tax increment financing district. (6th Hearing-All testimony-Possible amendments & vote)

HBDISASTER WORK (Ryan, S.) To create the Disaster Relief Act to exempt out-of-state disaster businesses 133 and qualifying out-of-state employees from certain taxes and laws with respect to disaster work on critical infrastructure performed in this state during a declared disaster. (1st Hearing-Sponsor)

SB GARBAGE FEES (O'Brien, S.) To authorize all municipal corporations that charge a garbage collection fee 181 to certify unpaid amounts to the county auditor, who must enter the fees on the property tax list to be collected in the same manner as real property taxes. (3rd Hearing-All testimony)

SB TAX HOLIDAY (Bacon, K.) To provide for a permanent three-day sales tax "holiday" each August during 226 which sales of clothing and school supplies are exempt from sales and use tax. (1st Hearing-Sponsor)

House Government Accountability & Oversight (Committee Record) (Chr. Blessing, L., 466-9091), Rm. 114, 9:30 a.m.

HB UNEMPLOYMENT COMPENSATION (Schuring, K.) To modify terms describing payments made 382 under the Unemployment Compensation Law, to increase the amount of wages subject to unemployment compensation premiums, to require qualifying employees to make payments to the Unemployment Compensation Insurance Fund, to allow the Director of Job and Family Services to adjust maximum weekly benefit amounts, to reduce the maximum number of benefit weeks, and to make other changes to the Unemployment Compensation Law. (5th Hearing-All testimony)

HJR UNEMPLOYMENT COMPENSATION (Schuring, K.) Proposing to enact Section 2t of Article VIII of 4 the Constitution of the State of Ohio to allow the General Assembly to provide by law for the issuance of bonds to pay unemployment compensation benefits when the fund created for that purpose is or will be depleted or to repay outstanding advances made by the federal government to the unemployment compensation program. (5th Hearing-All testimony)

HB COMMUNITY SCHOOLS (Roegner, K.) Regarding public moneys returned to the state as a result of a 87 finding for recovery issued pursuant to an audit of a community school. (5th Hearing-All testimony-Possible amendments)

HB PUBLIC RECORDS (Huffman, S., Cera, J.) To include judges as individuals whose residential and 341 familial information is exempt from disclosure under the Public Records Law, and whose addresses public offices, upon request, must redact from records available to the general public on the internet. (4th Hearing-All testimony-Possible amendments)

HB LENDING LAWS (Koehler, K., Ashford, M.) To modify the Short-Term Loan Act, to specify a minimum

123 duration requirement for loans made under the Small Loan Law and Mortgage Loan Law, and to limit the authority of credit services organizations to broker extensions of credit for buyers. (1st Hearing-Sponsor)

SB CAMPAIGN FINANCE (LaRose, F.) To allow certain campaign committees and other entities to file **44** campaign finance statements electronically and to require the Secretary of State to make the information in those electronic statements available online. (2nd Hearing-Proponent-Possible amendments)

Senate Government Oversight & Reform (Committee Record) (Chr. Coley, B., 466-8072), Finance Hearing Rm., 9:45 a.m.

- The panel will consider the governor's appointments of Mariame Diabate, Eugenie Kirenga, Comfort Kenneh and Ibrahima Sow to the New African Immigrants Commission.

HB FIREWORKS (Seitz, B., Sweeney, M.) To establish a fireworks study group to review and make **226** recommendations regarding the Fireworks Law, to extend to July 1, 2020, the moratorium on issuing fireworks manufacturer and wholesaler licenses, to eliminate, beginning January 1, 2021, the moratorium on geographic transfer of fireworks manufacturer and wholesaler licenses, and, beginning July 1, 2020, to impose a fee on the retail sale of consumer grade fireworks in this state and to expand the ability of individuals to obtain 1.3G display fireworks and obtain and use 1.4G consumer fireworks. (1st Hearing-Sponsor)

SB AGENCY RULEMAKING (Uecker, J.) To amend, for the purpose of adopting a new section number as **221** indicated in parentheses, section 127.18 (106.024); to enact sections 101.352, 101.353, 106.032, 121.93, 121.931, 121.932, and 121.933; and to repeal section 121.76 of the Revised Code to reform agency rule-making and legislative review thereof. (2nd Hearing-Proponent)

HB COMMUNICATION DISABILITIES (Gavarone, T., Wiggam, S.) To establish a database of persons who **115** voluntarily register as being diagnosed with a communication disability or who voluntarily register a minor child or ward as the parents or guardians of such persons for purposes of law enforcement notification. (2nd Hearing-Proponent)

House Higher Education & Workforce Development (Committee Record) (Chr. Duffey, M., 644-6030), Rm. 115, 11 a.m.

HB TENURED FACULTY (Young, R.) To require permanently tenured state university or college faculty **66** members to teach at least three credit hours of undergraduate courses per semester. (6th Hearing-All testimony-Possible amendments & vote)

Senate Rules & Reference (Committee Record) (Chr. Obhof, L., 466-7505), Majority Conf. Rm., 11 a.m.

House Session (Committee Record) (Chr. Rosenberger, C., 466-3357), House Chamber, 1:30 p.m.

Senate Session (Committee Record) (Chr. Obhof, L., 466-4900), Senate Chamber, 1:30 p.m.

House Community & Family Advancement (Committee Record) (Chr. Ginter, T., 466-8022), Rm. 114, 3 p.m. or after session

HB PUBLIC ASSISTANCE (Young, R.) Regarding the release of information concerning public and medical **340** assistance recipients. (4th Hearing-All testimony-Possible substitute)

HB CHILD SUPPORT (Gavarone, T.) To make changes to the laws governing child support. (2nd Hearing-**366** Proponent)

HB PARENTAL RIGHTS (Gonzales, A., Rezabek, J.) To generally prohibit a person's blindness from being **309** used to deny or limit custody, parenting time, visitation, adoption, or service as a guardian or foster caregiver, regarding a minor. (3rd Hearing-All testimony)

HB CHILD CARE (Carfagna, R.) Regarding parental notice of serious risks to the health or safety of children **383** receiving child care. (2nd Hearing-Proponent)

Senate Education (*Committee Record*) (Chr. Lehner, P., 466-4538), South Hearing Rm., 3:15 p.m.

- Presentation from State Superintendent Paolo DeMaria on Ohio's revised standards

House State & Local Government (*Committee Record*) (Chr. Anielski, M., 644-6041), Rm. 017, 3:30 p.m.

HBOVERNMENT INSURANCE (Wiggam, S.) To authorize counties, townships, and municipal corporations to purchase an employee dishonesty and faithful performance of duty insurance policy, instead of a bond, for protection from loss due to the fraudulent or dishonest actions of, and the failure to perform a duty prescribed by law by, an officer, official, employee, or appointee for which a bond is required by law. (4th Hearing-All testimony-Possible vote)

HBIDENTIFICATION CARDS (Barnes, J.) To provide that any nondriver identification card that is issued to a resident of Ohio who is permanently disabled must be issued without an expiration date. (4th Hearing-All testimony-Possible vote)

SB AGENCY CONTRACTS (Manning, G.) To allow a board of alcohol, drug addiction, and mental health services to authorize its executive director to execute contracts valued at \$50,000 or less without the board's prior approval. (3rd Hearing-All testimony-Possible vote)

HBGARBAGE FEES (Patterson, J.) To authorize all municipal corporations that charge a garbage collection fee to certify unpaid amounts to the county auditor, who must enter the fees on the property tax list to be collected in the same manner as real property taxes. (2nd Hearing-All testimony)

Tuesday, December 5

House Session (*Committee Record*) (Chr. Rosenberger, C., 466-3357), House Chamber, 11 a.m.

Senate Rules & Reference (*Committee Record*) (Chr. Obhof, L., 466-7505), Majority Conf. Rm., 11 a.m.

- If needed

Senate Session (*Committee Record*) (Chr. Obhof, L., 466-4900), Senate Chamber, 1:30 p.m.

- If needed

Wednesday, December 6

House Transportation & Public Safety (*Committee Record*) (Chr. Green, D., 644-6034), Rm. 017, 9 a.m.

- Autonomous and Connected Vehicles Hearing
- Benefits and Challenge, Economy and Labor: To explore the potential of autonomous and connected vehicles for improvements in safety and mobility and the expected societal, environmental, infrastructural and planning impacts and to explore how AV/CV technology may reshape various industries and the overall economy; with a particular focus on workforce development and business attraction.

Senate Rules & Reference (*Committee Record*) (Chr. Obhof, L., 466-7505), Majority Conf. Rm., 11 a.m.

House Session (*Committee Record*) (Chr. Rosenberger, C., 466-3357), House Chamber, 1:30 p.m.


- If needed

Senate Session (*Committee Record*) (Chr. Obhof, L., 466-4900), Senate Chamber, 1:30 p.m.

Senate Education (*Committee Record*) (Chr. Lehner, P., 466-4538), South Hearing Rm., 3:15 p.m.

- Presentation from State Superintendent Paolo DeMaria on model curricula

SB SCHOOL REGULATIONS (Huffman, M.) To enact the "Ohio Public School Deregulation Act" regarding **216** the administration of preschool and primary and secondary education programs. (3rd Hearing-Opponent & interested party)

NOTE: Click bill or resolution number links to see the legislative history compiled by Gongwer News Service. Click the  after a bill number to create a saved search and email alert for that bill. Click "Full Text" if present to view the text of legislation on the Legislature's Web site.

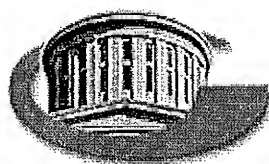
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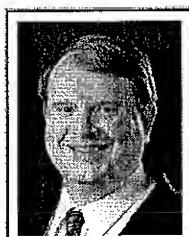
The Record of Capitol Square Since 1906

Volume #86, Report #225 -- Wednesday, November 22, 2017

Senate President: Energy Standards Bill Among Senate Priorities For December, Early 2018

When the Senate returns from Thanksgiving next week, energy policy will be on the plate in the few short weeks of work before a longer break for the holidays in December, the chamber leader said Wednesday.

With recent budget-fix legislation taking several issues off the chamber's to-do list, energy mandate legislation will be among the chamber's near-term priorities, Senate President Larry Obhof (R-Medina) said after a non-voting session.



Sen. Obhof

The chamber leader said he's eyeing a bill (HB 114) dealing with standards for renewable energy and energy efficiency for movement in the coming months.

"We'll see if that's something we can potentially deal with before we leave for Christmas or very quickly thereafter," he said. "We've had that going around for a couple of years now, and it'd be nice to finally find a landing place for that issue."

The measure remains in the Senate Energy & Natural Resources Committee, where it is expected to receive more hearings and work in the weeks ahead before it heads to the floor. (See Gongwer Ohio Report, October 18, 2017)

The budget fix measure (SB 8) included some smaller items that lawmakers wanted to address that were vetoed by Gov. John Kasich in the broader funding bill (HB 49). (See Gongwer Ohio Report, November 15, 2018)

Senators voted unanimously last week to accept a conference report for that bill loaded with amendments. The report now awaits House approval before it heads to Gov. Kasich.

Kasich spokesman Jon Keeling concurred that the items in the budget update were agreed to.

"When the budget was passed, our office committed to working with the legislature on a number of these issues. Provisions of SB8 reflect that commitment," he said.

Sen. Obhof said of the measure, "That cleans up a lot of some of the remaining budget issues that could've been potential budget overrides."

"There are a few more things of that vein that I think we'd like to take a look at," he added.

One item not addressed in the budget fix measure was the Medicaid managed care organization sales tax replacement proposal, which continues to draw attention from local governments and transit authorities seeking a longer timeframe for replacement revenue. (See Gongwer Ohio Report, September 26, 2017)

"That's something there are still ongoing discussions about, both whether we do it or not and if we do, what the vehicle will be," the Senate president said.

As to the schedule, Sen. Obhof said the Senate is expected to be in session on Dec. 13, with an if-needed session on Dec. 19.

"Part of that will be determined by what we're able to get done that first week that we're back in December but also what the House's schedule is," he said. "Frankly, the later they stay, we probably will too. If they're gone on the 13th, then we'll see."

Higher Ed Capital Budget Focus To Remain On Maintaining Investments

State colleges and universities have begun prioritizing the projects they'd like to see funded through the upcoming capital bill.

Unlike other capital bill requests, for which the submission deadline was Nov. 15, the Kasich administration has tasked the leaders of state institutions to create priority lists by sector based on the amount of funding they expect to be allocated.

The Office of Budget and Management hasn't yet released control numbers to the sectors, officials said, but they're expected to come in close or a bit below what they were two years ago. Of the total \$537 million earmarked for higher education in the last capital bill, \$428 million went directly toward institutions' projects.

"In this fiscal environment, we are thrilled that they're moving ahead with any capital budget process to help meet our needs," said Tom Walsh, vice president of the Ohio Association of Community Colleges.

Bruce Johnson, president of the Inter-University Council of Ohio, echoed the gratitude.

"We're very thankful that the governor has decided to move forward with a higher education capital budget," he said.

This is the first time two priority lists will be made for higher education requests. In the past few cycles, the sectors joined forces through the Ohio Higher Education Capital Funding Commission to create a master project report.

Previously, the administration used a strict formula to determine which projects were worthy of inclusion in the bill.

Despite the change for this year, higher education leaders say they will still be using the same seven guiding principles to set their priorities.

The principles emphasize projects centered on maintaining investments, increasing the state's competitive advantage, encouraging joint efforts and reducing costs, and reflecting the needs of today's students.

"The types of projects you see advancing are still going to be similar to what we've seen in the past," Mr. Walsh said.

Maintenance projects are the most likely to receive funding and typically make up about half of the requests that end up in the bill. The capital bill the state is currently operating under allocated the other half of the dollars to building world-class and workforce development programs as well as learning environment modernizations. (See Gongwer Ohio Report, April 8, 2016)

"If it's a new building it's going to be a high bar that's going to have to be met" to be included in the report sent to the administration, Mr. Walsh said. "There would have to be a clear focus in terms of strengthening learning environments and competitive advantage and meeting workforce needs."

IUC has suggested universities look to their six-year plans that were recently submitted to the Department of Higher Education to determine what projects they'd like included in the bill, Mr. Johnson said.

"The budget is going to be very tight and there's a lot of need out there with tens of billions of dollars of assets that need renovation," he said.

If the past few capital bills are any indication, the higher education priority projects that are agreed upon per sector will move through the General Assembly with few changes.

University and college leaders are also anticipating the financial situation will be close to what it has been in the past, with four-years receiving about 76% of the funding and two-years getting the other 24%.

Although community colleges pushed for a larger chunk of the funding in the last bill, Mr. Walsh said no such effort is underway this year.

"We're pleased with where it's landed," he said.

Both sectors are aiming to submit their funding requests to the administration by the end of the year.

JCARR Chairman Continues Pushing PUCO For Answers On Submetering Ruling

The chairman of the Joint Committee on Agency Rule Review is still pressing the Public Utilities Commission for answers on whether a recent ruling on submetering oversteps the PUCO's authority.

The commission in June issued a long-awaited ruling in which it created a standard to regulate submetering companies if they are deemed to be operating as public utilities. In short, the commission could step in if a submeterer is charging consumers more than that of a regulated utility. (See [Gongwer Ohio Report, June 21, 2017](#))



Rep. Duffey

But JCARR chairman Rep. Mike Duffey (R-Worthington), who is pushing his own bill to regulate the practice (HB 249), wrote Sept. 4 to PUCO Chairman Asim Haque, questioning him on why the PUCO believes the submetering rules are not required to be filed for JCARR's consideration. (See [Gongwer Ohio Report, September 12, 2017](#))

Mr. Haque has not responded to Rep. Duffey's letter, although the missive has been placed into the commission's case docket for the record. As a result, Rep. Duffey used the recent JCARR meeting to further press the PUCO for a response.

Rep. Duffey said his concerns stem from ORC 111.15(A)(1) which defines rules to be filed with JCARR as "any rule, regulation, bylaw or standard having general and uniform operations adopted by an agency..."

"It seemed like what they're doing is general and uniform in application: it affects everyone, not just that one particular party, and they established precedent for all utilities and for submetering companies that there's a litmus test and that test determines whether you're a public utility or not," Rep. Duffey said in an interview.

"So when they say they don't need to do rules for that, I think they're skirting the law right now," Rep. Duffey continued. "They're breaking the law."

Angela Hawkins, the PUCO's chief legal counsel, said in her response to Rep. Duffey: "We believe as an agency we acted within the bounds of our statutory authority."

But Rep. Duffey continued questioning Ms. Hawkins and PUCO legislative director Fletch Zimpher on whether the commission's order, which expands the *Shroyer* test used to determine whether an entity is acting as a public utility, meets the "general and uniform" definition.

"Do you think the *Shroyer* test applies generally and uniformly to parties?" he asked.

"Any legal test is applied on a case by case basis depends on the facts of the cases before you," Ms. Hawkins replied.

"But the test itself would be applied generally and uniformly?" Rep. Duffey responded. "If (ORC) says the rule is a standard having a general and uniform operation why is there not a rule from the PUCO on submetering and the *Shroyer* test?"

"We'd be happy to sit down and talk about your interpretation of that issue," Ms. Hawkins said. "We believe we are following the duty that we have under our statutes when we use the *Shroyer* test which has been confirmed by the Supreme Court."

Rep. Duffey also requested the PUCO respond in writing to his earlier letter. "Certainly," Mr. Zimpher replied. "We are happy to continue this discussion and we understand it is not just your concern as well."

PUCO spokesman Matt Schilling added, "We do plan to respond to the letter that JCARR sent to us regarding the submetering and we will be doing that shortly."

Rep. Duffey said he also has questions about the PUCO's recent telecommunications rule package that is currently out for feedback through the Common Sense Initiative. (See Gongwer Ohio Report, September 11, 2017)

In particular, he said, he has questions about portions of the rules that would enable a cable company to be labeled a carrier of last resort when it comes to telephone services. The chairman requested the PUCO respond in writing laying out the statutory language granting the commission authority over cable companies.

"They may or may not (have that authority)," Rep. Duffey said. "I don't necessarily have an opinion on that. I just want to know what the agency's saying is their authority to do it because there's a conflict right now where cable companies are saying you can't."

In response, Mr. Schilling said the commission's orders reflect the myriad of testimony received from stakeholders and that the rules package will be filed shortly with JCARR for further consideration once the CSI process concludes.

Barron To Replace Mauk As Senate Chief Of Staff

Senate President Larry Obhof looked to the chamber's past in picking his future chief of staff.

John Barron, formerly the Senate Majority GOP's chief legal counsel and currently a top official with the Ohio Casino Control Commission, was named Wednesday to succeed outgoing Chief of Staff Jason Mauk.

"John is widely respected for his strategic skills and steady temperament, which are critical qualities in the chief of staff role," Sen. Obhof (R-Medina) said in a statement. "He's also well known by many of our senators and staff because of his past experience here as our chief counsel. John is a great fit for this position, and I look forward to working with him in managing the Senate's agenda and operations."

Mr. Barron currently serves as the deputy executive director and general counsel for OCCC. He also previously worked as the top lawyer for in the lieutenant governor's office and the Department of Development, and served as deputy legal counsel in the governor's office. He began his legal career as an assistant attorney general in the Ohio Attorney General's Office, where he was selected as the Simon Karas Fellow, a position that allowed him to work with the State Solicitor on major appellate issues.

Mr. Barron holds bachelor's and law degrees from Ohio State University. The Westerville resident is also a veteran of the U.S. Air Force.

Mr. Mauk, a former reporter and Ohio Republican Party official, is resigning after six years as head of the chamber's staff to lead the Republican Senate Campaign Committee.

"Jason helped guide the Senate through some of the state's most significant policy achievements of the past decade," Sen. Obhof said. "We look forward to working with him in his new role."

Mr. Mauk is departing Dec. 1 and Mr. Barron will begin his new role Dec. 18. Deputy Chief of Staff Liz Connolly will serve as acting chief of staff during the two-week interim.

Mr. Barron's new salary was not made immediately available. Mr. Mauk made \$100,000 in 2016, according to the state treasurer's website.

Court To Hear Case On Jail Credit For Prisoners Who Committed Gun Crimes

In one of the last cases the Ohio Supreme Court will hear in 2017, it could determine whether there is a statutory exception to jail time credit for prisoners sentenced for crimes with firearm specifications.

If the court determines the exception does exist, it will also be asked to determine whether it is constitutional.

The court's decision will also resolve a conflict between the Sixth District Court of Appeals and the Seventh District Court of Appeals.

The case stems from a plea bargain accepted by Gary Moore in Erie County Common Pleas Court on several charges. All told, he was sentenced to a total of eight years and 11 months in prison. Four years of the sentence were mandatory for gun specifications.

Mr. Moore asked the court to apply his 238 days jail time credit to the mandatory portion of his sentence in order for him to be eligible for judicial release sooner. The court, however, denied that request.

At the appellate court level, the Sixth District found that the statutory exception to jail time credit for firearms specifications violates the Equal Protection Clause.

The state, though, argues that appellate court erred in its decision.

"This decision will result in a substantial number of defendants convicted of firearm offenses receiving less jail time than they otherwise would under the statutory scheme that the court struck down as unconstitutional," the state argues.

Among the state's additional arguments is that the appellate court improperly addressed the constitutional question without the issue being raised by either side.

Even so, the state claims that the exception is constitutional.

"This does not violate an offender's equal protection rights. Equal protection does not require jail time credit to be applied to a mandatory term of imprisonment that is run consecutive and prior to a non-mandatory prison term," the state argues. "Rather, equal protection demands that an offender be credited with all the time he has earned. That is what occurred here."

Mr. Moore argues that the high court should find that there is no exception in current law. Short of that, he asks the court to find the statute unconstitutional.

"But the inevitable result of a statute that disallows confinement credit is that poor defendants will be incarcerated for longer than their wealthy counterparts," his attorneys wrote. "For example, if the amount of time in jail is longer than the sentence for the gun specification, then a poor defendant would inevitably spend more time incarcerated than a wealthy one. This outcome violates equal protection even by the State's reasoning."

Justice Bill O'Neill has recused himself from the case. Sitting in his place will be Eighth District Court of Appeals Judge Anita Laster Mays.

Oral arguments in the case are slated for Dec. 6.

FirstEnergy Subsidiary Accuses OCC Of 'Speculation And Conjecture' Regarding Potential Bankruptcy

FirstEnergy has struck back at the Ohio Consumers' Counsel for its suggestion state regulators begin planning for the company's potential bankruptcy.

The OCC earlier this month wrote the Public Utilities Commission to flag its concern with the financial outlook of FirstEnergy Solutions, a FirstEnergy subsidiary. Creditors downgraded the company's bond rating in August after projecting FES will file bankruptcy sometime before 2018.

Among the OCC's requests were that the PUCO require the company to immediately file a plan with proposals to protect consumers in the event of a bankruptcy and review FES' communication plans to alert consumers to a bankruptcy proceeding. (See Gongwer Ohio Report, November 7, 2017)

Responding, FES urged the PUCO to disregard the OCC's concerns, adding that such a move would do more harm than good to customers.

"OCC's motion reflects a fundamental misunderstanding of FES's current financial condition," the company wrote in its response. "Furthermore, OCC's motion is supported by nothing more than speculation and conjecture about possible hypothetical events that may or may not transpire at some unknown point in the future."

The back-and-forth is playing out in the docket of a case tied to FES's regular applications for certification as a retail generation provider. Until the OCC's recent filing, the case had been dormant since the company's two-year certification was last renewed in 2016.

The company has also moved for the commission to strike the OCC's letter from the case record and to deny the counsel's motion to intervene.

FES said the OCC's claims are speculative and it criticized the agency for citing a "selective, incomplete quotation" from the company's recent Securities and Exchange Commission filings as one basis for its request. That quote in part said the company may need to seek protection under U.S. bankruptcy laws.

"OCC believes that FES customers are likely to suffer 'confusion and financial harm and/or loss or interruption of service' if FES files for bankruptcy restructuring," the utility wrote. "OCC is confused and mistaken."

The company went on to express its belief that the bankruptcy process, if begun, would have "little to no impact" on residential customers since most are not creditors of FES.

"The commission should reject the 'consumer protection proposals' advocated by OCC, as they are unnecessary, confusing, ill-advised, and ultimately would weaken the competitive electric generation market in Ohio," FES concluded.

Leaders at FES's parent company have declined to discuss details of any potential bankruptcy process. FirstEnergy CEO Chuck Jones told analysts in October the company is negotiating with creditors and will not "conduct these negotiations in public." (See Gongwer Ohio Report, October 27, 2017)

Nearly 50,000 Ohioans Sign Up For Exchange Plans Through First Three Weeks; Johnson To Lead NOPH; Actuary Says SERS Funding Level Increased...

A total of 48,916 Ohioans have selected plans through the HealthCare.gov platform through Nov. 18, the federal Centers for Medicare and Medicaid Services announced.

The snapshot covers the first three weeks of open enrollment in health care plans on the federal exchange.

Nationally, nearly 800,000 people selected plans in the third week of open enrollment, spanning Nov. 12-18, leading to a total of almost 2.3 million selections since Nov. 1. That total covers the 39 states that use the HealthCare.gov platform.

Nationwide, 566,000 of the selections have been made by new consumers, with the rest by people renewing coverage.

Open enrollment for 2018 plans ends Dec. 15.

Hospital Appointment: The Department of Mental Health and Addiction Services announced Wednesday that Brett M. Johnson was appointed as chief executive officer of Northwest Ohio Psychiatric Hospital.

Mr. Johnson previously served as administrative director at ProMedica Physicians and Continuum Services in Sylvania and was , CEO at Regency Hospital and Vibra Hospital.

In his new post, Mr. Johnson will oversee a staff of 232 employees and be responsible for the well-being, care and treatment of 114 patients located at the Toledo hospital, according to ODMHAS. In addition to overseeing day-to-day hospital operations, Johnson will also manage relations with the Alcohol Drug Addiction and Mental Health Services Boards in the 23-county catchment area served by the hospital.

Mr. Johnson holds a professional degree in Elder Law from the University of Toledo and a Master's degree in Business Administration and Organizational Leadership from the University of Findlay. He also holds a Bachelor's degree in Health Care Administration from the University of Wisconsin.

SERS Actuary Report: The School Employees Retirement System's board received the results of its actuarial valuations for 2017 at its November board meeting.

The actuary, Cavanaugh Macdonald Consulting LLC, found the pension's funded level increased from 66.67% to 70.01%, lowering its amortization period from 28 years to 27 years, according to the system.

The fund's unfunded liabilities decreased by \$998.5 million based on action by the board to suspend cost-of-living adjustments for three years and provisions in the biennial budget bill (HB 49) to index COLAs to inflation and cap them at 2.5%. (See [Gongwer Ohio Report, October 10, 2017](#))

The board accepted the actuary's recommendation that it move 0.5% of the 14% employer contribution to the health care fund. That move, combined with the 1.5% surcharge, will increase the health care fund's solvency from eight years to 16.

Infant Mortality: The Ohio Department of Medicaid is seeking grant proposals for state funding in an effort to target the disparity in the infant mortality rate in the African-American community.

ODM and the five Medicaid managed care plans will award funding for programs that use one of three intervention models - CenteringPregnancy, home visiting or community health workers, according to the [funding announcement](#).

"Recognizing that each community is different, ODM and the managed care plans want to provide flexibility to local communities, enabling them to craft proposals that address their unique community while still being able to measure the produced outcomes," the agency stated. "Communities are encouraged to think 'outside of the box' in crafting their proposals. The process has been intentionally designed to allow applicants the opportunity to detail how their proposal links to one of the three evidence-based models while addressing the community's challenges."

Proposals must be submitted by Dec. 8, with applicants notified of the status of their application by the end of the year, according to ODM.

Portman, Gee To Deliver Commencement Speeches; Chancellor Promotes Higher Ed Successes; OSU Law School Students Win Mock Trial Competition

Ohio State University will host [U.S. Sen. Rob Portman](#) (R-Terrace Park) as its fall commencement speaker. More than 3,600 graduates are expected to receive degrees at the Dec. 17 ceremony, which is planned for the

same day as CSU's graduation.

"Sen. Portman has represented Ohio as an active, involved and committed citizen at the highest levels of government," OSU President Michael V. Drake said in a release. "He participates regularly in many of the most important conversations of our time and has a broad and lengthy record of service and legislative engagement. His extensive knowledge and experience will energize our students as they consider ways they might create their own mark on our broader world."

Meanwhile, Gordon Gee will head back to Ohio next month to speak at Cleveland State University's fall commencement.

The former Ohio State University president, who is currently the president of West Virginia University, will discuss the continued importance of higher education and how it must transform to meet the needs of the 21st century student, according to a CSU release.

"I had the distinct pleasure of working with Dr. Gee during his second tenure as president of OSU and his energy, drive and dedication to the power and importance of education are an inspiration," said CSU President Ronald M. Berkman. "I am very honored that he will be addressing our graduates and look forward to hearing his insights on how colleges and universities can continue to meet their mission of training and inspiring our next generation."

Infographics: Chancellor John Carey is accentuating the positives about the state's higher education institutions.

In a new series of infographics, the first of which focused on degree attainment, the chancellor said he plans to highlight the good work of Ohio's colleges and universities. He said a new topic will be highlighted every two weeks.

"You likely have heard a great deal about the challenges facing higher education - student debt, the rising cost of textbooks, tuition increases, and the need to have our students prepared for an ever-changing workforce. But you may not hear as much about what's being done in Ohio to overcome those challenges, and - more importantly - the results tied to those efforts," Mr. Carey said in a note accompanying the inaugural infographic email.

The graphic shows that from Fiscal Year 2011 to Fiscal Year 2016, the number of degrees and certificates awarded to students in Ohio increased by 20%.

Competition: Ohio State University's Moritz College of Law took top honors in the Attorney General's fifth annual public service mock trial competition.

The competition, held this month at the Franklin County Courthouse, featured teams of students from eight Ohio law schools. Teams were coached by public-sector litigators and presented their cases that revolved around cyber bullying.

"This program was created to help Ohio law school students learn about public service careers and gain experience in the courtroom," Mr. DeWine said. "Participants spent weeks preparing for the competition and getting coached by experienced attorneys. We appreciate their hard work. Congratulations to Ohio State University and all the teams that participated."

Ohio Northern University Pettit College of Law and University of Cincinnati College of Law tied for second place and Capital University Law School was awarded third place in the competition.

OSU Advocates For Nondiscrimination Policies; County Launches Pre-Apprenticeship Program; DSW Reports Earnings

Ohio State University has joined the Ohio Business Competes coalition to support equal opportunities.

The nonpartisan coalition brings together businesses with the goal of putting in place nondiscrimination policies at the state level. More than 200 businesses, universities and organizations are coalition members.

Currently, consumers and employees in 21 U.S. states are protected from being denied jobs, housing and services based on their sexual orientation. Ohio is not included in that list of states.

"Our university derives great strength from bringing together outstanding individuals from a wide variety of backgrounds and experiences," OSU President Michael V. Drake said. "Diversity sparks innovation, strengthens cultural understanding, amplifies creative work, broadens scholarly benefits to society and produces more competent workers and thinkers."

OSU said in a release that it doesn't discriminate in its programs, activities, employment or admissions.

Pre-Apprenticeship Pilot: Franklin County commissioners this week announced the formation of partnerships that will help facilitate a pre-apprenticeship pilot program aimed at assisting low-income residents.

Columbus/Central Ohio Building and Construction Trades Council and the non-profit IMPACT Community Action are partnering with the county to create Building Futures, which will provide both soft skills and trade-specific training that ultimately lead to an apprenticeship entrance assessment.

About 30 students are expected to take part in the pilot class, which kicks off this month.

"Franklin County is booming," Board of Commissioners President John O'Grady said, "and building in this region is only going to continue to increase. Construction jobs are good jobs, and there's a shortage of skilled tradespeople right now, but many people need help bridging into an apprenticeship."

Apprenticeship is the traditional process for training and educating a worker as a skilled construction craftsman, according to a county release. The goal is for students to score well enough on the entrance exam to land an apprenticeship after the course.

The evening program will last nine weeks, with participants being paid \$250 per week for their time, commissioners said. The entire program that entails 100 hours of training will be recognized by the Ohio State Apprentice Council.

"Apprenticeship is the portal into our local unions and the beginning on a direct path to the middle class. Apprentices earn while they learn, honing their skills with on-the-job training and education in the classroom," said Dorsey Hager, executive secretary of the Columbus/Central Ohio Building and Construction Trades Council.

Earnings: DSW announced this week that sales increased 1.7% in the third quarter to \$708.3 million.

Meanwhile, net income in the quarter was \$4 million, or \$0.05 per share, the Columbus-based footwear and accessories retailer reported.

"Much of our core business performed in-line with expectations this quarter, despite an unusually severe hurricane season which impacted comps and earnings," CEO Roger Rawlins said in a statement.

"Additionally, cold weather related product struggled to gain the traction we had anticipated; however, tight inventory management protected our bottom line from excessive markdowns and we ended the quarter with inventories below last year," he added.

The company also reported results for the first nine months of the year, with sales increasing 2.1% to \$2.1 billion. Net income was \$55.6 million, or \$0.69 per diluted share, including pre-tax charges totaling \$59.9 million, or \$0.45 per diluted share, related to acquisition and impairment costs, restructuring expenses and foreign exchange loss.

Agency Briefs: Communities Awarded Housing Grants; Labor Force; ODA; OEPA; PUCO; ODNR

The Development Service Agency awarded more than \$24 million to 30 communities as part of a grant program to help them rehabilitate, repair and build affordable housing.

The funding, through the Community Housing Impact and Preservation Program, will also help communities provide homeownership and rental assistance.

The grants are funded by the Ohio Housing Trust Fund and federal community development block grants and HOME programs.

"We're working with communities across the state to improve the quality of life for Ohioans," DSA Director David Goodman said in a statement.

Labor Force: Unemployment rates dropped from September to October in 39 counties, rose in 23 counties and remained the same in 26 counties, according to the Department of Job and Family Services.

Nine counties had unemployment rates below 3.5%, led by Mercer County at 2.8%. Other counties below 3.5% included Putnam, Holmes, Wyandot, Auglaize, Delaware, Hancock, Union and Madison.

Monroe County, at 7.1%, had the highest unemployment rate. Other counties with unemployment rates above 6% were Meigs, Jefferson, Noble, Scioto and Trumbull.

Agriculture: The department announced that eight land trusts, four counties, a township and 10 soil and water conservation districts would receive money to preserve farmland. The funding comes from the Clean Ohio Fund.

The money is part of the Local Agricultural Easement Purchase Program, and will enable the entities to select, close and monitor easements from landowners interested in selling them on their farms. The easements will require that the farm remain permanently in agricultural production.

The program will make \$8.56 million available, and local sponsors will be able to accept applications in 40 counties.

Ohio EPA: The agency will hold a public information session at 6 p.m. Dec. 6 at Grove City High School to discuss a proposed expansion of the Franklin County Landfill.

The proposal would expand the landfill, which is located at 3851 London Groveport Road in Grove City, to 333 acres. It would add 14 to 30 years of capacity to the landfill, according to the EPA.

EPA staff will answer questions at the meeting and explain the permitting process.

The agency will hold another public hearing and an opportunity for comments when a draft permit is issued.

Public Utilities: The Power Siting Board postponed two previously scheduled hearings regarding a proposal by Vinton Solar Energy LLC to build a solar facility in Vinton County.

The two hearings, one set for Dec. 5 in McArthur and an adjudicatory hearing set for Dec. 15 in Columbus, will be rescheduled at a later date.

Natural Resources: The department will waive campsite fees Friday night as a way to encourage families to spend Black Friday outdoors instead of in shopping malls and stores.

The promotion includes all campsites at open state park campgrounds, and does not include cabins, lodges or other rentals.

The department also released rainbow and brown trout at Malabar Farm in Lucas as part of a pilot project to evaluate the species' suitability for stockings and capacity for year-round fishing opportunity.

A pond received 300 rainbow trout and a nearby stream received 400 brown trout.

The Division of Oil and Gas Resources Management also reported that \$2,681 permits have been issued for drilling in the Utica shale as of Nov. 18, with 2,178 wells drilled and 1,714 wells in production.

Governor's Appointments

Co-op/Internship Program Advisory Committee: Amista Naylor Lipot of Beverly (Washington Co.) for a term beginning Nov. 22 and ending Jan. 21, 2019.

Supplemental Agency Calendar

Wednesday, November 29

Public Utilities Commission of Ohio, 180 E. Broad St., 11th Fl., Columbus, 1:30 p.m.

Thursday, November 30

Arts Council, 30 E. Broad St., 33rd Fl., Columbus, 10 a.m.

Wednesday, December 6

BWC Pharmacy & Therapeutics Committee, 30 W. Spring St., Room 2 on Level 2, Columbus, 1:30 p.m.

Supplemental Event Planner

Tuesday, November 28


Ohio Aerospace Day 2017, Statehouse Atrium, Columbus, 8 a.m.

Subscribers Note: The Gongwer News Service *Ohio Report* will not be published on Thursday, Nov. 23 in recognition of the Thanksgiving Day holiday.

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Click the  after a bill number to create a saved search and email alert for that bill.

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Sarah LaTourette Kayser <latoursm@gmail.com>

Your Update From The Center for State Fiscal Reform 11/28/2017

1 message

American Legislative Exchange Council <ahackbarth@alec.org>
To: latoursm@gmail.com

Tue, Nov 28, 2017 at 2:00 PM

To view this email as a web page, go [here](#).**Center for State Fiscal Reform Update -
November 28, 2017**

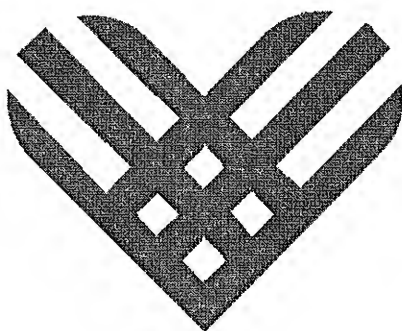
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Good Tax Policy Helps Good People Do More Good

Elliot Young | Research Analyst, Center for State Fiscal Reform



Tax and regulatory burdens can certainly degrade the health of charitable giving. States with higher taxes strongly correlate with less giving, while states with lower taxes tend to see higher rates of giving. Federal and state lawmakers should work to provide pro-growth tax reform so that every hardworking taxpayer can have more to give more on this Giving Tuesday.

[Read More](#)**Income Taxes****States Stunt Growth by Using Income Taxes to Shake Down Mobile Workers**

Joel Griffith, Jonathan Williams | The Hill



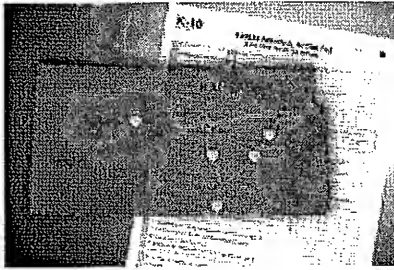
A maze of state income tax codes ensnares an increasing proportion of the increasingly mobile American workforce. An assortment of mainly high tax states demands income tax payment from nonresidents working in or travelling through another state for a few short hours or days. These requirements saddle businesses and their employees with new and burdensome compliance costs.

[Read More](#)

Spotlight on Kansas

Distinguishing Myth from Reality: The Kansas Tax Reform Effort

Jonathan Williams, Joel Griffith | Center for State Fiscal Reform



Tax policy changes in Kansas have received more media attention than any other state-level fiscal reforms in recent memory – even though many successful pro-growth tax reforms took place in states like North Carolina during the same time period.

[Read More](#)

State and Local Tax Deduction

Benefits to Taxpayers With Repeal of State and Local Tax Deduction

Thurston Powers, Rep. Seth Grove | Philly.com



Repealing SALT would generate up to \$1.7 trillion over 10 years, which could fund broad-based tax relief, such as doubling the standard deduction, lowering marginal rates on personal and pass-through income, expanding the child tax credit, and making our corporate tax rates — the highest in the industrialized world — far more competitive.

[Read More](#)

Expert Opinion

We Must Get SALT Out of Taxpayers' Diets

Jonathan Williams, Sal Nuzzo | The Hill



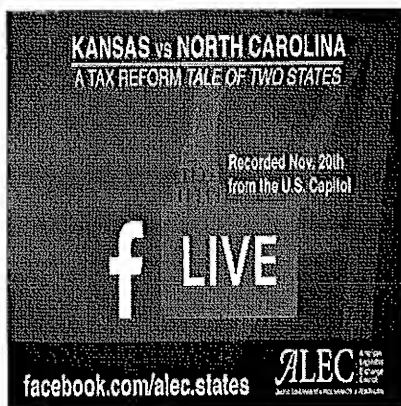
While the debate still rages over the effect that salt has on the health of Americans, another form of salt, the state and local tax deduction (SALT), is harmful to our federal tax code and, more importantly, bad for hardworking American taxpayers.

[Read More](#)

Facebook Live

A Tale of Two States: Kansas vs. North Carolina

North Carolina and Kansas enacted two of the most important state tax reforms of the past decade. Lessons



from both states should guide Congress over the next several weeks.

This panel explained what actually happened with taxes and spending in Kansas and North Carolina. The dual lessons illustrate the need for broad rate reductions and spending controls.

[Read More](#)

Fiscal Responsibility in Higher Education Academy

First Term Learns the Issues at ALEC Academy



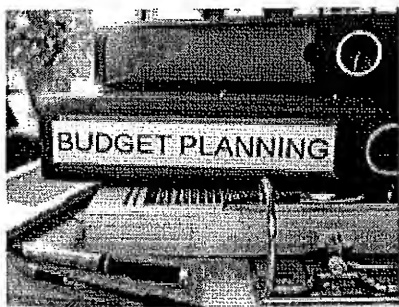
Representative Susan Beckman is serving her first term as a state legislator in Colorado and is a new ALEC member. We caught up with her at the Fiscal Responsibility in Higher Education Academy at the Antonin Scalia Law School at George Mason University.

[Read More](#)

State Budgets

The Williams Report

Bob Williams | State Budget Solutions



Bob Williams give you an around the country look at what is happening in the states when it comes to budgets and pensions.

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Sarah LaTourette Kayser <latoursm@gmail.com>

Ohio Report, Tuesday, November 28, 2017

1 message

Gongwer News Service <gongwerreports@gongwer-oh.com>

Tue, Nov 28, 2017 at 7:57 PM

To: sml@sarahlatourette.com

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OHIO REPORT TUESDAY, NOVEMBER 28

Lawmakers Field Debate Over Property Tax Challenges, Undeveloped Land

Witnesses: Energy Bill Would Boost Competition To Benefit Consumers

House Energy Task Force Hears Theories On Energy Auctions

Revamped Violent Offender Database Touted As Law Enforcement Tool

Rep. McColley Tabbed To Fill Hite Seat In Senate

Bill To Toughen Strangulation Penalties Will Save Lives, Proponents Say

Housing Advocates Cite Concerns With Rental Property Damage Bill

Public Defender Questions Sentencing Bill's Comparisons To Recod Recommendations

Speaker Defends Response To Inappropriate Behavior Reports As Religious Group Calls For Further Examination

Services Set For Former Senate President Harris

Gongwer Statehouse Job Market Updated

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House Activity for Tuesday, November 28, 2017

INTRODUCED AND REFERRED

HR ALFALFA PRODUCTS (Sprague, R., Hill, B.) To recognize the existence of two alfalfa products in light of the recent action of the Ingredient Definition Committee of the Association of American Feed Control Officials.

Agriculture & Rural Development

HCROIL MARKETS (Thompson, A.) To urge the Congress of the United States and the President of the United States to take certain actions to counter manipulation of the oil market by the Organization of Petroleum Exporting Countries (OPEC).

Energy & Natural Resources

INTRODUCED

HB 429 LICENSE PLATE (West, T.) To create the "Canton Bulldogs" license plate. Am. 4501.21 and to enact section 4503.872

CALENDAR FOR COMING SESSION

SB LAW ENFORCEMENT DATA (Eklund, J.) To allow disclosure of information from the law enforcement automated data system (LEADS) to a defendant in a traffic or criminal case.

Wednesday, Nov. 29

SB COUNTY INVESTMENTS (Wilson, S.) To modify the qualifications regarding notes eligible for investment of county inactive moneys.

Wednesday, Nov. 29. Re-referred to Government Accountability and Oversight

HBCAREER INFORMATION (Duffey, M., Boggs, K.) Regarding the presentation of career information to students.

Wednesday, Nov. 29

HBFLAG DISPLAY (Gonzales, A., Ginter, T.) To prohibit manufactured home park operators, condominium associations, neighborhood associations, and landlords from restricting the display of the thin blue line flag.

Wednesday, Nov. 29

HPALLIATIVE CARE (LaTourette, S.) To create the Palliative Care and Quality of Life Interdisciplinary Council, to establish the Palliative Care Consumer and Professional Information and Education Program, and to require health care facilities to identify patients and residents who could benefit from palliative care.

Wednesday, Nov. 29

REFERRED

Aging & Long Term Care:

HBOPERS BENEFITS (Scherer, G.) Regarding Public Employees Retirement System (PERS) annual cost-of-living adjustments granted to allowance and benefit recipients and PERS service credit for services as a nonteaching school employee of a county board of developmental disabilities.

Armed Services, Veterans Affairs & Homeland Security:

HB 414 DAY DESIGNATION (Schaffer, T.) 5.243 of the Revised Code to designate July 16 as "National Atomic Veterans Day" in Ohio.

Civil Justice:

SB STRUCTURED SETTLEMENTS (Dolan, M.) Relative to transfers of structured settlement payment rights.

HBESTATE LAW (Dever, J., Seitz, B.) To abolish the estate by dower.

HBDISCRIMINATORY COVENANTS (Craig, H.) To authorize county recorders, at the request of certain persons, to redact discriminatory covenants from real property instruments displayed on the internet, or to record modifications of those instruments.

HBEMERGENCY LIABILITY (Henne, M.) To modify the defense to the liability of a member of a police or fire department or emergency medical service of a political subdivision for the negligent operation of a motor vehicle in response to an emergency by requiring that the vehicle has its lights and sirens simultaneously activated.

Community & Family Advancement:

HB 420 MONTH DESIGNATION (Sykes, E., Boyd, J.) To designate the month of November as Ohio Adoption Awareness Month.

Criminal Justice:

HB COUNTERFEITING (Perales, R.) To create the offense of counterfeiting and to include counterfeiting within the definition of "corrupt activity" under the Corrupt Activities Law.

HB VETERAN TREATMENT (Butler, J., Perales, R.) To permit courts to create veterans treatment courts
409 and to allow courts to divert certain criminal defendants to participate in veterans treatment court.

HB MASKED INTIMIDATION (Lang, G., Seitz, B.) To create the crime of masked intimidation, a
423 misdemeanor of the first degree.

HB SEXUAL CONDUCT (Hagan, C.) To prohibit an employee of a school or institution of higher education
426 who is not in a position of authority from engaging in sexual conduct with certain students.

Education & Career Readiness:

HB STUDENT RECORDS (Ingram, C.) To require a public or chartered nonpublic school to transmit a
418 student's records within five business days when the student transfers to another school.

Energy & Natural Resources:

HB WATER SEWER ACQUISITIONS (Ginter, T., Rogers, J.) To govern acquisitions of municipal water-
422 works and sewage disposal system companies by certain larger nonmunicipal water-works or sewage
disposal system companies.

Government Accountability & Oversight:

HJRBALLOT ISSUES (Antani, N.) Proposing to amend Sections 1a, 1b, 1e, and 1g of Article II of the
5 Constitution of the State of Ohio to modify the requirements for the initiative and referendum processes.

HB MICRO DISTILLERIES (Perales, R., Boggs, K.) To revise the law governing sales of spirituous liquor
398 by micro-distilleries.

HB EQUAL PAY (Howse, S., Kelly, B.) To create the Gender Pay Disparity Task Force.
403

HB ADDRESS RECORDS (Lanese, L.) To include forensic evaluation examiners and mental health
406 evaluation providers as individuals whose residential and familial information is exempt from disclosure
under the Public Records Law, and whose addresses public offices, upon request, must redact from records
available to the general public on the internet.

HB TRAFFIC VIOLATIONS (Seitz, B., Butler, J.) To grant municipal and county courts original and
410 exclusive jurisdiction over any civil action concerning a traffic law violation, to specify that the court
require an advance deposit for the filing of specified civil actions by the local authority bringing the civil
action, and to modify the reporting requirements and LGF withholding that apply to subdivisions that
operate traffic law photo-monitoring devices.

HB WRONGFUL IMPRISONMENT (Seitz, B., Sykes, E.) To modify the state's wrongful imprisonment law.

411

HB UNEMPLOYMENT COMPENSATION (Wiggam, S.) To enact the "Substance Recovery and Workforce Improvement Act" regarding drug testing and eligibility for unemployment compensation benefits.

HB BODY CAMERAS (Antani, N., Craig, H.) To provide that specified portions of peace officers' body-worn camera recordings and the infrastructure record of a public school are not public records for purposes of the Public Records Law.

Health:

SB ABORTION (LaRose, F.) To prohibit a person from performing, inducing, or attempting to perform or induce an abortion on a pregnant woman who is seeking the abortion because an unborn child has or may have Down Syndrome.

HB HEALTH INSURANCE (Henne, M., Butler, J.) To enact the Ohio Right to Shop Act to require health insurers to establish shared savings incentive programs for enrollees.

HB WEEK DESIGNATION (West, T., Boggs, K.) To create the Health Insurance Participation Week.

Insurance:

HB HEALTH SERVICE PRICES (Huffman, S.) Regarding the provision of cost estimates for scheduled health care services and health care services requiring insurer preauthorization.

Public Utilities:

HB 402 TELEPHONE REGULATION (Hill, B.) To revise state regulation of telephone companies.

State & Local Government:

HB ROAD IMPROVEMENTS (Greenspan, D., Ryan, S.) To allocate one-half of any surplus revenue to a new Local Government Road Improvement Fund, from which money will be distributed directly to local governments to fund road improvements.

Transportation & Public Safety:

HB BRIDGE NAMING (Holmes, G.) To designate the bridge spanning Squaw Creek, that is part of State Route 169 in Trumbull County, as the "World War I and World War II Veterans Memorial Bridge."

HB BRIDGE NAMING (Holmes, G.) To designate the bridge spanning Squaw Creek, that is part of United States Route 422 in Girard, as the "Purple Heart Veterans Memorial Bridge."

HB LICENSE PLATE (Patton, T.) To create the "West Technical High School Alumni" license plate.

HB LICENSE PLATE (Anielski, M.) To create the "Padua Franciscan High School" license plate.

HB VEHICLE TITLES (Patterson, J., Becker, J.) To provide that when a certificate of title is issued for a motor vehicle, the owner may request that the certificate indicate that the motor vehicle is a replica vehicle.

HOUSE SPEAKER'S APPOINTMENTS

Underground Technical Committee: David Celona, representing the natural gas distribution industry

Joint Committee on Ohio College Affordability: Rep. Kelly

COMMITTEE HEARINGS

Ways & Means

HB PROPERTY VALUES (Merrin, D.) To require local governments that contest property values to formally pass an authorizing resolution for each contest and to notify property owners. (CONTINUED (See separate story); 3rd Hearing-All testimony)

HB PROPERTY TAX (Merrin, D.) To exempt from property taxation the increased value of land subdivided for residential development until construction commences or the land is sold. (CONTINUED (See separate story); 3rd Hearing-All testimony)

SB BUSINESS INCOME (Peterson, B.) To provide that wages and guaranteed payments paid by a professional employer organization to the owner of a pass-through entity that has contracted with the organization may be considered business income. (SCHEDULED BUT NOT HEARD; 1st Hearing-Possible amendments & vote)

Finance

HBBROADBAND EXPANSION (Carfagna, R.) To establish the residential broadband expansion program within the Development Services Agency to award matching grants for last mile broadband expansion in municipal corporations and townships and to make an appropriation. (CONTINUED; 2nd Hearing-All testimony)

Stu Johnson, executive director of Connect Ohio, said the most successful broadband expansion projects require collaboration between the public and private sectors.

The bill seeks to address the need for broadband expansion in "difficult-to-serve" areas where technology has fallen behind by creating a targeted residential broadband expansion program that will award matching grants for infrastructure investment, he said.

"Families across the state struggle because they do not have access to the opportunities, and more and more, the necessities that are made available through high-speed broadband access," Mr. Johnson told the committee.

Rep. Mark Romanchuk (R-Mansfield) said he is concerned about consumer protection and asked how the bill will ensure that a quality product is provided to taxpayers.

Mr. Johnson replied that he does not believe the language of the bill discusses the delivery of the product.

Rep. Jack Cera (D-Bellaire) asked how much has been invested to bring areas to higher levels of service where infrastructure exists and how that cost compares to the amount of investment necessary for deployment.

Providers in Ohio have made sizable investments and have done well compared to other states, Mr. Johnson said. The highest cost is for investing in infrastructure while upgrading existing technology is much less expensive, he added. Mr. Johnson said he would provide the committee with more information on the subject.

Rep. John Patterson (D-Jefferson) asked what the potential will be for attracting and retaining young families who would like to telework or work from home to Ohio's aging, rural communities.

"It is as simple as asking yourself if you would move there knowing it did not have broadband access," Mr. Johnson replied. Access to high-speed internet is critical and some countries have gone as far to deem it a human right, he added.

Rep. Steven Arndt (R-Port Clinton) asked Mr. Johnson if he has estimates for the size of the infrastructure projects and if there was a cap on the grant funding. He replied that the grant program is first-come-first-serve.

Mr. Johnson told Rep. Adam Miller (D-Columbus) that he is unaware of states with similar legislation, but the goal of the bill is to provide broadband access to households that lack it.

Providers in the private market looking for a return on investment for infrastructure projects will typically turn to densely populated areas, Mr. Johnson said. Other than building more houses, the only way providers will expand to rural areas is if costs are reduced, he added.

Brad Cole submitted written testimony in support of the bill on behalf of the County Commissioners Association of Ohio. The CCAO addressed the issue of broadband access in its legislative platform calling it critical to the "development of technology, enhancement of educational opportunities, delivery of healthcare and growth of commerce," Mr. Cole said in testimony.

HBDATAOHIO BOARD (Duffey, M., Hagan, C.) To create the DataOhio Board, to specify requirements for **3** posting public records online, to require the Auditor of State to adopt rules regarding a uniform accounting system for public offices, to establish an online catalog of public data at data.Ohio.gov, to establish the Local Government Information Exchange Grant Program, and to make appropriations. (CONTINUED-AMENDMENT; 2nd Hearing-All testimony-Possible amendments & vote)

The committee accepted an amendment from Rep. Mike Duffey (R-Worthington) that removes the local government information exchange grant program appropriations.

The voluntary grant program offered micro-grants of \$10,000 to participating local governments, Rep. Duffey explained to Rep. Nickie Antonio (D-Lakewood). However, the municipalities that seek financing through the bond market will be required to move in the direction of uniform data, so the incentive offered by the micro-grants is not necessary, he said.

The appropriations removed by the amendment, which have delayed the legislation for multiple years, are holding Ohio back from establishing uniform data, he told the committee.

HB BROADBAND GRANTS (Smith, R., Cera, J.) To create the Ohio Broadband Development Grant **378** Program and to make an appropriation. (CONTINUED; 1st Hearing-Sponsor)

Rep. Ryan Smith (R-Bidwell) said his bill creates a broadband infrastructure funding program to incentivize investment in areas of Ohio that do not have broadband access.

Approximately 300,000 Ohioans do not have access to broadband internet in their homes, Rep. Smith said. "Ensuring high-speed broadband capability will help our region and the entire state remain competitive

nationally and continue to be a desirable place to live, work and visit," he added.

The bill appropriates \$50 million each fiscal year through the Third Frontier Research and Development Fund to fund the Ohio Broadband Development Grant Program, Rep. Jack Cera (D-Bellaire) told the committee.

The Development Services Agency will administer the program and award grants of up to \$5 million to eligible political subdivisions, businesses, nonprofits and co-ops for construction and installation of broadband infrastructure, he said.

"If you live in a metropolitan area, you may not fully realize how rural areas of the state are hurting because of the lack of broadband capability," Rep. Cera said. "We all know this is a vital part of everyday life."

The lack of broadband access in certain areas is creating a deeper divide between parts of Ohio, he explained. "When there is not access to that technology or that access is limited, many people are left behind."

Rep. Smith told Rep. Antonio that his bill and H.B. 281 would complement each other.

The bill is modeled after legislation in Minnesota, Rep. Smith told Rep. Rick Perales (R-Beavercreek).

Subscriber's Note: Full testimonies are available on the committee [website](#) under November 28.

Financial Institutions, Housing & Urban Development

HBCRIMINAL MISCHIEF (Hambley, S.) To expressly prohibit criminal mischief relating to residential rental **282** property and to prohibit a metropolitan housing authority from renting or providing housing assistance to a person who has recently been convicted of criminal mischief relating to residential rental property. (CONTINUED-AMENDED (See separate story); 4th Hearing-All testimony-Possible amendments)

HBSTATE FINANCES (Hagan, C., Roegner, K.) To create the Long-range Financial Outlook Council for the **320** purpose of informing the public and the General Assembly about the financial status of the state by studying financial and other conditions and issuing an annual long-range financial outlook report. (CONTINUED; 2nd Hearing-Proponent)

Cory Fleming, manager of legislative and political advocacy for the Ohio Credit Union League, said the bill to establish a Long-Range Financial Outlook Council would give the state access to more information for the legislature to use during budget planning.

"As we all know, Ohio's future faces unique challenges; ranging from changing demographics to stagnation in wages that must be addressed," he said. "As the legislature works collectively to position our state in advantageous position moving forward, having additional data and insight from smart individuals, can only be seen as a benefit."

He asked that representatives from credit unions be considered for positions on the council.

In written testimony, John Venturella, chair-elect of the Ohio Society of CPAs, called the bill a positive step forward for the state.

"While a long-range financial outlook approach is not a substitute for the traditional budget process, it does allow government leaders to examine the causes of funding pressures beyond the sources of revenue that fund them," he wrote.

HB PYRAMID SCHEMES (Pelanda, D.) To modify the law governing pyramid promotional schemes. **329** (REPORTED (No testimony); 4th Hearing-All testimony-Possible vote)

HB UNCLAIMED FUNDS (Reineke, B.) To exempt certain open-loop prepaid cards, closed-loop prepaid **353** cards, and rewards cards from the Unclaimed Funds Law. (CONTINUED-AMENDED; 3rd Hearing-All testimony-Possible amendments)

The committee accepted an amendment from Rep. Robert Sprague (R-Findlay) that included a technical correction of language and a clarification of the definition of the rewards or rebates.

Dustin Holfinger of the Ohio Bankers' League said the league did not believe unused balances on promotional cards should be subjected to the unclaimed funds law because they are consumer specific and are often "earned" by participating in loyalty programs.

He said the amendment included the league's suggestion to modify the exemption to include payment methods not represented by traditional cards, including mobile app payments, internet-based reward accounts and non-card accounts.

HB CREDIT FREEZES (Henne, M., Kelly, B.) To modify the fees that a credit reporting agency can charge **386** in relation to a credit report freeze. (CONTINUED; 1st Hearing-Sponsor)

Sponsors Rep. Michael Henne (R-Clayton) and Rep. Brigid Kelly (D-Cincinnati) said recent data breaches have exposed many consumers' information to criminals.

"Your information at credit agencies is no exception. Yet, we allow these agencies to charge a \$5 fee to freeze and unfreeze our own credit, unless someone has already been a victim of identity theft," Rep. Henne said.

The bill would eliminate the fee to freeze or unfreeze credit, he said.

Rep. Kelly said credit report freezes are one line of defense against identity theft.

"If you have frozen your credit with all three agencies at five dollars each, and you want to lease a car or rent an apartment, you must then lift the freeze, also at a cost of five dollars per each agency," she said.

Rep. Catherine Ingram (D-Cincinnati) asked if freezing would prevent current account lenders from doing update checks.

Rep. Kelly said the bill is designed to offer an extra layer of protection against new accounts being opened.

HB FORCIBLE ENTRY (Merrin, D.) To clarify how to calculate certain timelines under which a forcible **390** entry and detainer action must occur. (CONTINUED; 1st Hearing-Sponsor)

Sponsor Rep. Derek Merrin (R-Maumee) said the bill would codify court rulings regarding the eviction process by clarifying how a day will be calculated.

"Regarding evictions, there has been conflicting interpretations whether days should be calculated as a calendar day or a business day," he said.

The bill would state that a day is a calendar day. It would also state that a three-day window for a tenant to leave the premises before an eviction is filed begins on the day after the notice is filed.

"This ensures property owners cannot deliver a notice at 11:59 p.m. and count that as the first day of notice," he said. "It is important to have this language stated in this section of the Ohio Revised Code to ensure both the property owner and tenant have knowledge of the provision, thus discouraging such a practice from happening against a tenant."

Chairman Rep. Jonathan Dever (R-Cincinnati) asked if there was a discrepancy between the case law for commercial and residential evictions. Rep. Merrin said he didn't think there was a discrepancy.

Answering a question from Rep. Scott Wiggam (R-Wooster), Rep. Merrin said landlords seek evictions not just when the tenant does not pay rent, but when the tenant doesn't pay and refuses to leave.

Subscribers Note: Full testimony is available on the committee's website under Nov. 28.

Economic Development, Commerce & Labor

HB STEEL WELDING (Perales, R., Dever, J.) To establish in the Ohio Building Code requirements pertaining **127** to structural steel welding and bridge welding. (CONTINUED; 3rd Hearing-All testimony-Possible amendments)

Andrea Ashley said on behalf of the Associated General Contractors of Ohio that the bill in its current state is impractical, duplicative, and undermines the expertise of structural engineers in determining appropriate welds.

Welding standards already exist in Ohio's building code, which is based on model code standards that have been adopted nationwide, Ms. Ashley said.

The legislation as drafted will undermine the traditional role of building departments by making building inspectors responsible for enforcing tradespeople's qualifications, she said. The Ohio Board of Building Standards would have "unprecedented authority."

Under the proposal, building inspectors would be required to verify that welders have valid certifications at the time they perform their work, she said. There are many questions about the practical implementation of the bill as it is currently drafted, she explained.

Ms. Ashley told the panel that the industry isn't opposed to better ensuring qualifications, but there is likely a better way to do so.

HBOUTDOOR DINING AREAS (Lanese, L.) To generally allow an owner, keeper, or harborer of a dog to **263** take the dog in an outdoor dining area of a retail food establishment or food service operation. (CONTINUED-SUBSTITUTE (No testimony); 5th Hearing-All testimony-Possible substitute)

Without discussion, the committee accepted a substitute measure that requires the directors of Agriculture and Health to adopt rules governing dogs in an outdoor dining area of an establishment or operation. (Comparison Document)

Those rules must prohibit an employee from touching a dog and require hand washing if an employee inadvertently comes in contact with a dog.

They must also include signage, entrance, and leash requirements, as well as details about how dog waste must be disposed.

The substitution version puts liability on the dog owner for any damage the canine may cause on a restaurant property and prohibits patrons from sitting at outdoor bars with their dogs.

HB APIARY DAMAGES (Stein, D.) To grant specified apiary owners immunity in personal injury or **392** property damage cases. (CONTINUED; 1st Hearing-Sponsor)

Rep. Dick Stein (R-Norwalk) said his bill aims to provide beekeepers with immunity in personal injury and property damage cases provided they meet specified conditions.

The specified conditions required for immunity include compliance with local zoning pertaining to apiaries, compliance with existing conditions for operations and Ohio beekeeping industry best management practices, and registration with the Department of Agriculture, Rep. Stein said.

The immunity provided by the bill does not apply to intentional tortious conduct or acts of omission constituting gross negligence, he added.

Rep. Michael Sheehy (D-Oregon) asked if insurance coverage that would protect against claims is available to beekeepers. Rep. Stein said he doesn't believe so, because of range of issues that come with caring for bees, such as premature death related to sickness or weather.

He told Rep. Brigid Kelley (D-Cincinnati) that bee stings attributed to beekeepers' negligence isn't common in Ohio, but when it does occur, any lawsuits are often thrown out because evidence of who owned the bees is difficult to come by.

However, beekeepers who are accused spend significant amounts of money in the court processes that lead up to dismissal, he said.

Responding to additional questions from the panel, Rep. Stein said property damages could arise when bees are transported to farms to pollinate and the bill could lead to more information about why hives are dying out because owners would be encouraged to register their hives with the state.

Criminal Justice

HB ADOPTIONS (Rezabek, J.) To require the juvenile court judge to provide written consent to certain **283** adoptions involving abused, neglected, or dependent children. (**REPORTED (No testimony)**; 3rd Hearing-
 All testimony-Possible vote)

HBCOURT JURISDICTION (Reineke, B.) To provide the Tiffin-Fostoria municipal court with concurrent **354** jurisdiction with the Seneca County court of common pleas in operating a drug addiction recovery program.
 (REPORTED (No testimony); 3rd Hearing-All testimony-Possible amendments & vote)

HBPAROLE MONITORING (Hughes, J., Boggs, K.) To provide for indefinite prison terms for first or second **365** degree felonies and specified third degree felonies, with presumptive release of offenders sentenced to such a term at the end of the minimum term; to generally allow the Department of Rehabilitation and Correction to reduce the minimum term for exceptional conduct or adjustment to incarceration; to allow the Department to rebut the release presumption and keep the offender in prison up to the maximum term if it makes specified findings; to require the Department to establish a reentry program for all offenders released from prison who it intends to have reside in a halfway house or similar facility but who are not accepted by any such facility; to require the Adult Parole Authority to establish maximum work-load and case-load standards for its parole and field officers and have enough trained officers to comply with the standards; to require that GPS monitoring used for offenders released from prison under such monitoring specify restrictions, including inclusionary zones and necessary exclusionary zones; to require the Department to establish system requirements for GPS monitoring of such offenders by the Department or third-party contract administrators; to require the Department to operate a statewide database for law enforcement use containing specified information about such offenders; to require that third-party administrators for GPS monitoring under a new contract with the Department provide and use a law enforcement-accessible crime scene correlation program; and to name the act's provisions the Reagan Tokes Act. (**CONTINUED (See separate story)**; 3rd Hearing-All testimony)

Subscriber's Note: For full written testimony, see the [committee's website](#) under Nov. 28.

Energy & Natural Resources

HBOIL GAS WELLS (Thompson, A.) To allow a landowner to report an idle and orphaned well or abandoned **225** well, to require the Chief of the Division of Oil and Gas Resources Management to inspect and classify such a well, to require the Chief to begin plugging a well classified as distressed-high priority within a specified time period, and to authorize an income tax deduction for reimbursements paid by the state to a landowner for costs incurred to plug an idle or orphaned well. (**CONTINUED-SUBSTITUTE**; 3rd Hearing-All testimony-Possible substitute)

The committee accepted a substitute bill with several changes Rep. Andy Thompson (R-Marietta) said were designed to make the process less bureaucratic and more efficient. (Comp Doc)

The changes include giving the Department of Natural Resources more flexibility in prioritizing the wells to cap, allowing the department to contract directly with mine plugging companies and providing more notice to possible mine owners and to neighboring land owners.

HB BRINE SALES (DeVitis, T., O'Brien, M.) To authorize a person to sell brine derived from an oil and gas 393 operation that is processed as a commodity for use in surface application in deicing, dust suppression, and other applications. (CONTINUED-SUBSTITUTE; 1st Hearing-Sponsor)

The committee heard sponsor testimony after accepting a substitute version that Rep. Michael O'Brien (D-Warren) said made the measure a true companion bill to a Senate version (SB 165). The House version, as introduced, would have changed existing code sections instead of creating a new one, as the Senate proposal and the substitute version do.

Rep. O'Brien and fellow sponsor Rep. Anthony DeVitis (R-Green) said the bill would allow the sale of brine used in vertical oil and gas wells for de-icing and other applications, such as dust suppression and the sanitation of portable toilets.

Businesses can remove the oil and natural gas from the brine and use the salt from the brine as a de-icing product for roadways. He said the legislature recently imposed new restrictions on the use of products from oil and gas wells, and the changes are burdensome to businesses that were producing clean and useful products.

"Therefore, this legislation amends the statute to confirm that ODNR retains the ability to regulate the recycling process, but prevents further government regulation once the process is complete and the product meets specified and accepted standards that confirm that the product is effective and does not pose a threat to the public health or environment," he said.

The brine produced from vertical wells contains salt and low levels of natural gas or oil, unlike brine from horizontal wells, Rep. O'Brien said.

State law currently allows raw brine to be spread on the roads as a de-icer, and Rep. O'Brien said the use of brine is safer and less corrosive than rock salt.

"The language in HB393 encourages others to find ways to recycle, process and reuse raw brine rather than spreading it across Ohio or simply disposing of it in a Class II injection well," he said. "We need to encourage this kind of activity across Ohio not add additional regulatory burdens when there is no clear reason to do so."

Chairman Rep. Al Landis (R-Dover) asked what cost savings the state might see from using more brine instead of rock salt.

Rep. O'Brien said there could be some cost savings, likely a small initial savings that increases over time.

Public Utilities

HB UTILITY LAW (Romanchuk, M.) To require refunds to utility customers who have been improperly 247 charged, to eliminate electric security plans and require all electric standard service offers to be delivered through market-rate offers, and to strengthen corporate separation requirements. (CONTINUED (See separate story); 2nd Hearing-Proponent)

Subscribers Note: For full testimony see the [committee's website](#) under Nov. 28.

Education & Career Readiness

HB SCHOOL CHOICE (Koehler, K.) To eliminate the Educational Choice Scholarship Pilot Program and Pilot 200 Project Scholarship Program and to create the Opportunity Scholarship Program. (CONTINUED-AMENDED; 8th Hearing-All testimony-Possible amendments)

The committee continued to hear from both proponents and opponents of the bill, which was amended to reduce the financial threshold for eligibility from 400% to 300% and eliminate proposed education savings accounts.

Sharla Elton, superintendent and principal of Heritage Christian School, said nearly 78% of the school's students are using the EdChoice district-based and EdChoice Expansion Scholarship programs.

Those students are doing better across the board than their peers at local schools, she said. More would be able to make the choice to attend Heritage and have the chance to excel under the proposed scholarship program.

"It is time to allow more access, especially in communities like ours where there are no other financial options," Ms. Elton said. "Please allow families to choose the best schools for their children by supporting House Bill 200. I promise that if you will give families the keys, schools like Heritage will give their children the kingdom of education."

Yonah Donald, a sophomore at Heritage Christian School, said there was a lot of bullying at his public school and he was happy to leave it behind.

"Before when I went to public school, all feelings were gone. With everything at home being difficult, the school environment being chaotic made it worse. When I came to Heritage, the environment felt different. I felt happiness and joy for the first time in years," she told the committee.

Aleecia Johnson, who is a sophomore at Louisville Public High School, said she doesn't have the same opportunity Mr. Donald had to change schools, despite feeling similarly about her public school experience.

That's because her school is not failing academically, which is required for high schoolers to be eligible for the current scholarships programs, she said. Her family can't afford to send her to private school, so that's not an option either.

"I would like to attend a different school that better fits where I am in life now. I would like to attend a school that is more welcoming, and where the students and staff know me as a person," she Ms. Johnson said. "But, I don't have any choices because my mom works two jobs and we struggle to financially keep up."

Eric Resnick, a member of the Canton City School District Board of Education, emphasized that school districts will educate all students, regardless of income, and it's their capacities that allow many opportunities for students.

Public school districts are also held more accountable on every level compared to private schools, he said.

The bill "is so dangerous because it threatens public school districts' ability to do what we do, openly, for all, and with a high degree of public accountability," Mr. Resnick said.

A handful of committee members, including sponsoring Rep. Kyle Koehler (R-Springfield), Rep. Steve Huffman (R-Tipp City) and Chairman Rep. Andy Brenner (R-Powell) challenged Mr. Resnick, questioning why he doesn't believe students should have the opportunity to attend different schools when his district has received Ds and Fs on the report card.

Rep. Brenner said he doesn't understand the witness's aversion to private schools, because they likely spend less to, in some cases, better serve students in improving their academic outcomes.

Mr. Resnick said 85% of students in his district live in poverty, and a number of studies have concluded that report card results are directly linked to the economic standing of students.

Students who live in poverty also need more intervention and remediation among other services, making it more expensive to educate them, he said.

He also stressed that the committee focus on the education needs of all students and not only those that have shared their heartfelt stories about desires to attend different schools.

The proposal to extend vouchers to all students who fall under a certain family income threshold would also threaten school funding, which is already tight, said Joseph Spiccia, superintendent of the Wickliffe City School District and chair of the Lake/Geauga Superintendents' Collaborative.

"While the (argument) has been made that school districts will not see direct deductions from district state funding amounts, it is reasonable to assume that the proposed voucher program will further reduce the collective amount available to fund the PK-12 budget at the state level," he said in written testimony. "As a result, public school districts will see an overall indirect reduction in state funding amounts that will continue to impact their financial outlook."

Chad Hilliker, assistant superintendent for Hamilton County Educational Service Center, also opposed the measure through written testimony.

HB COMMUNITY SCHOOLS (Hambley, S.) Regarding verification of community school enrollments.
21 (REPORTED; 5th Hearing-All testimony-Possible vote)

Tom Ash, director of governmental relations for the Buckeye Association of School Administrators, praised updates to the bill that require charter school governing authorities to set enrollment and attendance policies focused on residency verification.

"We feel that this version of the bill appropriately assigns the responsibility for the monitoring of students' residences to the entity that ultimately is responsible for the supervision and oversight of the community school," he said, also speaking on behalf of the Ohio School Boards Association and the Ohio Association of School Business Officials.

Under the bill, the governing authority would be required to conduct a monthly review of residency records and verify addresses of students to the Department of Education on an annual basis, he said. Currently, district schools must do so for the students who attend charter schools.


Presentation: Superintendent of Public Instruction Paolo DeMaria and Brian Roget, associate director of the Department of Education's Office of Curriculum and Assessment detailed the proposed revisions to social studies, financial literacy and math standards. ([Presentation](#))

Subscribers Note: Full testimony is available in the [committee's website](#) under Nov. 28.

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Lawmakers Field Debate Over Property Tax Challenges, Undeveloped Land

Business and government interests squared off Tuesday over legislation involving property taxes, including one bill dealing with valuation challenges and another that would restrict the value of undeveloped land zoned for residential purposes.

Taking up much of a House Ways & Means Committee meeting that spanned most of the morning was debate over a plan to require additional actions by government entities when seeking property valuation changes through local boards of revision (HB 343).

Sponsored by Rep. Derek Merrin (R-Maumee), the measure would require school boards and other local taxing authorities to pass resolutions prior to filing property tax complaints with BORs and that notices be sent to property owners. The bill stems, in part, from concerns that governments are unduly giving rein for attorneys to file complaints on their behalf to boost revenue.

On the opponent side of the issue are government groups who say the bill proposes unnecessary hurdles for tax challenges and could lead to unintended consequences, including more drawn-out legal proceedings. Proponents point to circumstances in which boards were unaware of complaint specifics and property owners were treated unfairly with additional tax burdens.

The County Commissioners Association of Ohio kicked off testimony on the bill, with research director Brad Cole warning that its provisions could lead to redundancies given that current law already requires sufficient notice. He also questioned the additional resolution requirements for taxing authorities.

"Compliance with the provisions of HB343 could prove burdensome both for boards and legislative authorities filing complaints and counterclaims, and BORs attempting to enforce the provisions of the bill," he said.

Mr. Cole and others testifying said interested party meetings had been held with the sponsor, but that disagreements persisted. He told Rep. Teresa Fedor (D-Toledo) that while the bill could be improved by reducing resolution and notice requirements, "I doubt we're going to be a proponent. Maybe we could be an interested party."

Ryan Jenkins, treasurer and chief financial officer for the Pickerington Local School District, said the current system for property tax complaints provides a "balanced playing field" between taxing entities and property owners.

The bill, he said, would "require every entity other than a property owner to take unnecessary and time-consuming procedural steps before responding to or initiating a property tax valuation case." Among those is the mandate for local government boards to pass resolutions on every single BOR case it wants to participate in versus adopting a blanket policy with a set approach to such challenges, he said.

"House Bill 343 would cause delay, promote enmity, and won't help owners or school boards determine properties' true values. In short, the measure would add heat, but wouldn't shed light," he said.

Mr. Jenkins did propose some alternative approaches to the bill. Those include the adoption by school boards of guidelines for filing tax complaints, increasing the monetary threshold for filings, prohibiting contingency fee-based attorney contracts for school tax cases, and limiting challenges to commercial properties.

Barbara Shaner, also relayed opposition to the bill on behalf of three statewide education groups - the Buckeye Association of School Administrators, the Ohio Association of School Business Officials and the Ohio School Boards Association. She called the proposal "unnecessary" and "highly objectionable."

"We agree with the bill sponsor's assertion in sponsor testimony that school board members should be aware that the district is taking action to challenge property values when believed to be valued too low. However, it is not appropriate for the board members to be aware of and act on challenges to the property values of individual property owners, either residential or commercial," Ms. Shaner said.

"This step would have the effect of politicizing the decisions as to which properties would be challenged. Also, HB343 opens the process to become politicized by giving property owners the ability to put pressure on the board not to challenge property values. This would likely remove all objectivity from the process."

Rep. Doug Green (R-Mt. Orab) asked about consistencies with school board tax challenges lodged against commercial versus residential properties. Ms. Shaner said in most districts, the residential tax changes aren't as significant as those for commercial properties so it's not as beneficial cost-wise to challenge home valuations.

Chairman Rep. Tim Schaffer (R-Lancaster) asked what protections there are for "mass filings" by school tax attorneys that serve to "harass homeowners."

Ms. Shaner said that while the groups' members haven't been surveyed on the issue, anecdotally there's an understanding that most operate on a fee-for-service basis with tax attorneys versus contingencies, so there is no incentive for such an approach.

Rep. Steve Hambley (R-Brunswick) questioned the groups' opposition to the requirement that every parcel challenge be brought before school boards, saying that in his experience in local government, he was always made aware of such lawsuits.

OSBA lobbyist Jay Smith said the boards set the policies on which the challenges are based. Ms. Shaner added that board members may not be aware of the specifics of every case but do set the direction for such tax complaints.

Warren County Auditor Matt Nolan, testifying as an interested party for the County Auditors' Association of Ohio, said the bill could lead to "unintended consequences" including jurisdictional questions, delays in BOR processes and confusion.

Rep. Merrin said an amendment he has prepared would eliminate the parcel-based resolution mandate and replace it with one based on who owns the properties in question.

Proponents of the bill, including the Ohio Real Estate Investors Association, argued that property owners deserve the right to be better informed about complaints that could impact their taxes.

"OREIA supports this bill because we want you to understand that investors operate on razor thin profit margins for a property," government affairs Director Dan Acton said. "The increase in property tax is directly related to a reduction in overall resources available to an owner for a property."

"Under current law, schools or legislative authorities can file a counter-complaint defending the assessed value or to assert a different value if a property owner initiates a complaint to reduce property values. We see this bill as the continuation of allowing a counter-complaint process for both parties, but it gives the property owner, the individual with the most direct stake in the assessed value, notice that an entity is seeking an increase in property taxation not of their own initiation."

Countering opponent testimony, Mr. Acton said requiring resolutions be adopted for each parcel that's subject to a tax complaint is a "fair process for all parties because each property is different, even in the same housing subdivision."

"It is unfair to an individual property owner that they be lumped together with every other property in a specific subdivision or neighborhood due to variations in lot size, individual improvements or home size. Each property should be judged on its own merits for taxation purposes," he said.

Gary Trame, CFO of Aveda Fredric's Institutes in West Chester, relayed how the school of cosmetology was blindsided when the owner of the building it leases in part told operators of a large property tax hike that was being passed through to tenants.

Speaking in support of the measure, he said such "surprise increased taxation" makes it "very difficult for businesses to operate."

"Local governments and school districts benefit from the economic activity derived from our investments, jobs created, and the education we provide our students. The unexpected tax change, without notification may cause going concern issues," he said. "The lack of transparency in the process to effectively increase our taxes was troublesome. I would have welcomed the opportunity to have dialogue with my local elected officials and explain how the Board of Revision complaint would negatively impact our business and the local community."

Rep. Emilia Sykes (D-Akron) and Rep. Janine Boyd (D-Cleveland Hts.) questioned whether the bill would resolve the issues brought forward by Mr. Trame, considering he is a tenant and not a property owner.

The witness responded that getting better notice of the increase could have provided the school with a chance to weigh in on legal proceedings. He added that he would seek a notice requirement from the landlord before he signed another lease.

Rep. George Lang (R-West Chester Twp.) said in support of the bill that he was a trustee when Mr. Trame's situation arose. The increased tax threatened to put the school out of business, he said.

"The problem here comes down to notification," he said, adding that the school district was not aware of the impacts of its complaint because it had given its attorney free rein on such matters. Rep. Lang said the issue was finally resolved after the county auditor became involved.

Rep. Green questioned how till the bill would have changed the outcome of the BOR process. Rep. Lang said had the tenant been notified in a timely fashion, they could have challenged the increase through the existing process.

Charles Penzone submitted written testimony in support on behalf of his salon group.

Other opponents who testified in person or through written statements included the Ohio Coalition for Fair Taxation and several school districts.

Property Tax Exemption: Some of the same interests weighed in on a separate proposal from Rep. Merrin to hold property valuations steady on residential developments until parcels are sold or developed.

Mr. Nolan, of the CAAO, expressed his group's "strong opposition" to the measure, which he said "would authorize a tax exemption or freeze in the value of land in the pre-residential development stage and reduces property taxes for land purchased for residential development purposes."

The group's "serious concerns" stem in part from its impact on current appraisal methodologies, he said.

"Freezing the value under this bill is a drastic alteration of the uniform standards of appraisal practice and could have unintended and unpredictable consequences on the value of neighboring parcels," Mr. Nolan said. "The

freeze applies to the newly purchased property and also continues in spite of streets, sidewalks, curbs, driveways or water, sewer or other utility lines having been instructed or installed."

Based on his very conservative calculations, the bill would lead to the loss of \$2.745 million in tax revenue from Warren County governments, he said.

Rep. Michael Henne (R-Clayton) said the undeveloped property is not generating revenue even though owners have invested in the land.

Mr. Nolan said some fast-developing counties do incorporate "undevelopment factors" when determining property values, but the bill would take away developers' "holding costs" and make homebuilding "risk free" by taking the free market out of the equation.

Rep. Henne questioned that statement, opining that developers' investments should be taken more into consideration when determining property values.

Merle Stutzman, representing Wooster-based Weaver Custom Homes, argued as a bill proponent that keeping developer costs down would lead to additional revenues for taxing authorities down the line.

"House Bill 371 would directly impact overall land costs and would provide a savings to Ohio families and developers when purchasing a lot to build a new home," he said.

"New development within any city or municipality is a long-term investment for the whole community. If land remains undeveloped, there is no additional tax revenue. However, when land is developed and new homes are built, the community generates additional real estate taxes, income taxes, and dollars spent throughout the community by new homeowners. This creates unending revenue for the community."

OSBA lobbyist Jay Smith offered opponent testimony on behalf of the three school groups and other local government associations.

"The provisions to benefit property developers contained in HB371 could require other taxpayers to pay more than their fair share," he said, since levy millage rates are set based on the total valuation of the school district.

"The tax exemption or 'freeze' in value for these properties also has the potential to reduce property taxes for local governments and schools, especially in urban and suburban areas where the issuance of residential building permits is concentrated," he said. According to the (Legislative Service Commission) Fiscal Note, the revenue loss could be substantial, and could amount to several million dollars statewide. The majority of this loss will be sustained by school districts."

OREIA's Mr. Acton said his group "wants to support the idea of pre-residential development property and the taxation exemption of this property type because members have related that there are always delays that can halt the commencement of a project, whether it is on existing homes or not."

"We applaud the idea that increased taxation cannot occur on planned developments and believe that it can be a valuable tool for our members to invest in these types of projects, especially knowing that any of the issues identified above can cause costly deficits on their investment," he added.

The Mid-Ohio Regional Planning Commission submitted written opponent testimony.

Subscribers Note: Full testimony on the bills is available on the [committee's website](#) under Nov. 28.

Witnesses: Energy Bill Would Boost Competition To Benefit Consumers

A controversial bill that would in part ban electric security plans would level the playing field for energy consumers in Ohio by fostering more competition, proponents testified Tuesday.

Representatives from eight groups urged support for the measure before the House Public Utilities Committee. The bill (HB 247) from Rep. Mark Romanchuk (R-Mansfield) would also permit the refunding of charges the Supreme Court of Ohio later deems improper.

"The solutions in HB247 are sound and there is no reason why any group who is supportive of their customers, the consumer, or their constituent would be against this legislation," said Trey Addison, director of state government affairs for AARP Ohio.

Opponents of the bill, which include utilities, haven't yet testified in committee, but did voice their concerns during a debate between members of the House Energy Task Force. (See Gongwer Ohio Report, October 4, 2017)

At that meeting, representatives from AEP Ohio in particular argued that the current system would work fine if the Ohio Supreme Court ruled on rate cases in a timelier fashion and stakeholders stopped gumming up the works with needless litigation.

A newly issued Fiscal Note prepared by the Legislative Service Commission states the bill's elimination of electric security plans "would almost certainly change the rates that customers, including the state and local governments, pay for electricity" but does not estimate by how much.

Proponents say consumers big and small stand to gain by banning electric security plans, through which utilities can earn approval for above-market prices with non-bypassable riders. The Ohio Consumers' Counsel has documented \$14 billion in such charges since 2000.

Bradley Belden, one of several members of the Ohio Manufacturers' Association to testify, said the current setup is anti-competitive and "represent(s) a serious threat to the benefits of competition we currently enjoy."

But Rep. Bill Seitz (R-Cincinnati) remained unconvinced - particularly regarding bill language that would force the utilities to exit the generation business. "I am baffled at your Venezuelan notion that we will increase competition by taking the people that are experts in this business for 100 years and say you can't be in it anymore," Rep. Seitz said.

Kim Bojko, OMA's general counsel, said the language simply fulfills the goal lawmakers had when passing a 1999 bill (SB3, 123rd General Assembly) that ordered utilities to spin off their generation. "What we want through HB247 is to finish the process," she said. "We're not trying to kick anybody out of the business."

Rep. Seitz also highlighted language in a recent settlement over Dayton Power & Light's standard service offer that grants the OMA Energy Group an \$18,000 sum that is nonrefundable even if a court later modifies the stipulation. (See Gongwer Ohio Report, October 20, 2017)

"All my point is is you want the utilities' rates approved by the PUCO to be refunded in the event a court modifies the deal," Rep. Seitz said. "But the...payments you receive or your members receive you insisted be nonrefundable."

Ms. Bojko said the OMA did not sign that stipulation, but instead agreed not to oppose it. She said the \$18,000 goes to a few members who were to be negatively impacted by the arrangement in an effort to make them whole.

The difference, she added, is that the OMAEG payment is part of a ratemaking proceeding while the reimbursements the bill would permit are to refund illegal charges.

Teresa Ringenbach, a senior manager with Direct Energy, said the current system is "confused" and that the 1999 law has morphed into something it was never intended to be.

"HB247 puts Ohio back on the correct path - the path we chose 20 years ago - the path to robust and full retail electricity competition," Ms. Ringenbach said.

Other proponents testifying included the Ohio Environmental Council, Ohio Independent Power Producers, NFIB Ohio, the Ohio Chemistry Technology Council, and Washington D.C. think tank R Street Institute.

Chairman Rep. Robert Cupp (R-Lima) said the bill is slated to receive two more hearings over the next two weeks - first for additional proponents Dec. 5 and then for opponents Dec. 12. But he said the bill will likely not receive a committee vote this year.

House Energy Task Force Hears Theories On Energy Auctions

Energy is being overvalued by Ohio's wholesale market, an affordable energy advocate told members of the House Speaker's Energy Task Force Tuesday.

The group's second meeting encompassed a single agenda item - a presentation from advocate Tom Stacy - and took just over an hour compared to the task force's lengthier inaugural meeting last month. (See Gongwer Ohio Report, October 4, 2017)

Mr. Stacy, in addressing the group chaired by Rep. Bill Seitz (R-Cincinnati), described himself as a "theorist" with no formal credentials in the energy industry, although he's well regarded by some industry players.

"I view the electricity sector as foundational to a healthy economy and want to find a way to help ensure we don't veer off course and have escalating cost with flat demand," Mr. Stacy said.

Specifically, he presented a hypothesis that wholesale energy auctions - in which electricity is bought wholesale and resold - are overvaluing energy because the price bid by the highest bidder is given to all bidders who clear the auction.

Conversely, he said, the capacity auctions - which are meant to ensure long-term energy needs continue to be met - are undervaluing the resource and as a result encompass a smaller piece of the energy puzzle.

"I'm not implying generators are overcompensated," he said. "I'm just saying we might be paying for the wrong things in the energy market and this money maybe belongs in the capacity auction."

Would it not be better, Mr. Stacy pondered, to create a system in which wholesale bidders had an audited gross margin allowance window in which they could bid a certain percentage above their specific cost?

But several members of the task force said the additional dollars generated by those wholesale auctions can be invested into infrastructure in order to reduce consumer costs.

Rep. Seitz said he was under the impression that PJM, Ohio's regional transmission organization, has taken steps in recent years to ensure reliability in the capacity market. PJM recently completed a wide-ranging review of its capacity construct (See Gongwer Ohio Report, February 3, 2017) and issued a proposal to ensure wholesale prices accurately reflect needs. (See Gongwer Ohio Report, November 20, 2017)

"That's correct," Mr. Stacy said. "They've done the right things, but they're trying to maneuver a small piece of the pie."

Mr. Stacy also touched on the challenge of identifying the ideal mix of Ohio's generation assets, including wind and solar. Adding "intermittent" renewable resources to the system harms reliability, he said. Were the wholesale market not overvalued and the capacity market larger, he surmised, "the problem being created by intermittent resources would go away."

Given the market's overcapacity, Mr. Stacy said, the state should be seeking to achieve the optimum level for each resource.

But Kevin Murray, on behalf of the Industrial Energy Users-Ohio, said the premature closure of coal and nuclear plants is inhibiting those efforts.

"It's great to have the discussion, but the reality is this debate is going on as we speak at the Federal Energy Regulatory Commission," Mr. Murray said, alluding to the federal debate over subsidizing nuclear and coal-fired plants.

Tom Froehle, vice president of external affairs for AEP, added that given recent coal plant shutdowns "to somehow indicate we have a perfect balance in Ohio is ludicrous."

Mr. Stacy described himself as "agnostic" when it comes to fuel sources. "I'm only centric toward finding the economic solution and I think we're headed in the wrong direction."

But Terrence O'Donnell of Advanced Energy Economy disputed Mr. Stacy's background, noting he previously led an anti-wind group.

"We sent this presentation to actual experts," Mr. O'Donnell said of Mr. Stacy's slideshow. "Some feedback we've gotten is 'bizarre, kooky, never heard that theory before.' If we're going to hear from the renewables perspective, we should hear from people from the actual industry."

Mr. Stacy said he agrees "completely" with Mr. O'Donnell on that point. "Whether (my ideas) are kooky, I don't know," he said. "But if PJM are saying they're absurd and wrong, I would love to get in with that conversation. It's bad for everyone in the room if I'm promoting the wrong things."

Revamped Violent Offender Database Touted As Law Enforcement Tool

A violent offender database is a key tool Ohio law enforcement officials are currently lacking, the sponsor of a bill to create one said Tuesday.

While the legislation (SB 231) received its first hearing before the Senate Judiciary Committee, sponsoring Sen. Randy Gardner (R-Bowling Green) told members of the panel that it is an updated version of a previous measure (SB 67) that received five hearings.

Sen. Gardner said the changes came about after lengthy discussions with proponents, opponents and interested parties.

"The people who were opposed to this bill have helped convince me to make nearly a dozen changes," he said.

Unlike the previous version of the bill, the latest creates a database rather than a registry. The public would have limited access to information contained within the database.

The database would include the felony offenses of aggravated murder, murder, voluntary manslaughter, kidnapping and abduction, along with the conspiracy, complicity or attempt to commit those crimes.

While the resource would mainly be a tool used by law enforcement, citizens would be able to visit a county sheriff's office to access residency information about those in the database.

"Providing citizens with this information can help them become more aware and make safer decisions. An example would be this: Your 19-year-old daughter is moving to a new city to go to college and is looking at apartments," Sen. Gardner said.

"She decides on one, but you would like to know if anyone who would be living across the hall from her has a violent felony record. You would like to know. It seems to be a reasonable, fair question to ask. Today in Ohio, that information is not available."

Sen. Cecil Thomas (D-Cincinnati) questioned why the database would include employment information.

Sen. Gardner said it was modeled after the sex offender registry.

In written proponent testimony, Attorney General Mike DeWine said a study commissioned by his office found that about 11% of all felons are responsible for all of the violent crimes committed in Ohio over the course of the past four decades.

AG DeWine's office would create and maintain the database and he estimated it would cost \$350,000 in the first year and \$175,000 in subsequent years.

Wood County Sheriff Mark Wasylyshyn, who serves as president of the Buckeye State Sheriffs' Association, said the database will give law enforcement a "head start in the early stages of an investigation."

"We know with abductions and kidnappings the sooner we can find the victim the greater the likelihood they will be found alive. The first 24-36 hours are critical," he said in written testimony.

Rep. McColley Tabbed To Fill Hite Seat In Senate

A Senate Republican screening committee has selected Rep. Rob McColley (R-Napoleon) to fill the vacancy in the 1st Senate District, the majority caucus announced Tuesday.

The lawmaker, who currently serves as the House's assistant majority whip, is in his second term representing northwest Ohio's 81st House District.

"We believe Rob has the character and experience needed to represent the people of northwestern Ohio," Senate President Larry Obhof (R-Medina) said in making the announcement. "We met today with a talented group of candidates, and we appreciate their interest in serving the people of the 1st District. Rob is a committed and energetic leader on issues important to his constituents, and we look forward to working with him as he helps move Ohio forward."

Mr. McColley is expected to be seated in the Senate in early December, leaving the House Republican Caucus to appoint his successor.

The Napoleon High School graduate, who formerly worked with the Community Improvement Corporation of Henry County, holds degrees from Ohio State University and the University of Toledo College of Law.

The 1st Senate District seat came open this fall with the abrupt resignation of Cliff Hite amidst allegations of sexual harassment from an employee of the Legislative Service Commission.

Rep. McColley was selected over five other applicants for the seat, including fellow Rep. Craig Riedel (R-Defiance).

The other applicants were Paulding County Commissioner Roy Klopfenstein, who is the operational & managing director at Alvin Klopfenstein & Sons, Inc. crop farm; Craig Kupferberg, principal of Findlay High School; Jeff Smalley, a Bellefontaine resident who worked with the Ohio State Highway Patrol, and; Frank Miller Jr. of Ottawa.

Bill To Toughen Strangulation Penalties Will Save Lives, Proponents Say

More than a dozen individuals on Tuesday urged a Senate panel to pass legislation to expand felonious assault to include strangulation.

Amy Weber, whose sister-in-law was murdered by her husband, told members of the Senate Judiciary Committee that the bill (SB 207) will help to prevent more deaths.

"We know that strangulation leads to homicide," she said. "Yet in Ohio, we continue to treat it like a minor offense."

Eva Louise Miller said that strangulation, as a form of homicide used by men, is the third leading cause of death for women after guns and knives.

Ms. Miller said she was strangled by an abusive ex-husband.

"The assault was a serious threat on my life, liberty, and pursuit of happiness. I felt justified enough to seek help and no longer had contact with my husband," she said. "I knew if I stayed and told no one about the abuse, he would kill me because a divorce is costly and he was stingy."

Richland County Prosecutor Gary Bishop said Ohio is just one of five states to not specifically address strangulation-through statute.

"For too long now, our criminal justice system has had the mistaken view that if a victim somehow manages to survive being strangled or suffocated that the event was merely an 'attempt,'" he said. "This in turn has led to the attitude that if the victim's visible injuries are either not present or only consist of a sore throat, trouble swallowing, etc. for a day or two then the offense is relatively minor and should be treated as a misdemeanor assault or domestic violence."

Delaware County Prosecutor Carol O'Brien, testifying on behalf of the Ohio Prosecuting Attorneys Association, said under current law, prosecuting cases involving strangulation is difficult and costly because it requires the state to bring in experts to educate the jury on the dangers of strangulation.

"Given that there is no genuine dispute as to the dangers of strangulation, the proposed legislation would be a welcome boon to prosecutors across the state," she said.

Ruth Downing of Forensic Healthcare Consulting, who has testified as an expert in strangulation cases in Ohio and other states, said many victims are faced with life-long injuries due to strangulation.

"These life-long injuries include: permanent voice changes; difficulty swallowing; vision changes; cognitive deficits such as poor memory; post-traumatic stress disorder; psychosis; and progressive dementia," she said.

"Strangulation is the ultimate form of power and control. An abuser does not need a gun. He only needs to reach out his hand and he controls her next breath - and victims know this. An abuser knows he can strangle her to unconsciousness without leaving a mark on her neck."

Nancy Neylon, executive director of the Ohio Domestic Violence Network, said if the bill passes, her organization will work with law enforcement to ensure that the law is enforced.

"We will promote training to law enforcement to ask victims about strangulation, to recognize and document the evidence and ensure emergency treatment," she said. "We will also continue to promote training of emergency personnel to look for possible forensic evidence and treat victims for the potential long-term consequences of strangulation."

The panel also received testimony from the Action Ohio Coalition for Battered Women and several individuals testifying on their own behalf.

Housing Advocates Cite Concerns With Rental Property Damage Bill

A bill creating criminal penalties for tenants who intentionally damage their rental properties drew criticism Tuesday from housing advocates who said it isn't needed and could be misused by landlords.

The House Financial Institutions, Housing & Urban Development Committee heard testimony from both sides on the bill (HB 282) Tuesday after accepting a change offered by Rep. Robert Sprague (R-Findlay). The amendment added rented manufactured or mobile homes to the definition of rental property.

Supporters of the proposal said it would allow landlords to punish tenants who intentionally damage or destroy their rental units by including that action under the criminal mischief statute. Opponents cited the possibility that the threat of prosecution could be used to coerce tenants, and voiced concerns with a provision excluding people convicted under the proposal from public housing for three years.

Graham Bowman, an attorney with the Ohio Poverty Law Center, spoke against the bill, saying it was a solution in search of a problem because landlords already have legal options in cases when tenants damage property.

It offers unfair protections to absentee landlords who fail to maintain their property, allowing landlords to blame tenants for wear and tear or pre-existing damage, he said.

The provision excluding people convicted under the law from public housing is also unnecessary and would exacerbate problems of homelessness, Mr. Bowman added.

"This bill will serve as a mechanism to protect absentee landlords and inadvertently hamstringing our ability to address homelessness in our communities," he said.

Rep. Andy Brenner (R-Powell) asked why he would oppose preventing people convicted of damaging property from being accepted by a public housing authority.

Those housing authorities already have the ability to exclude people for that reason, Mr. Bowman said, and the mandate is not necessary.

Rep. Kent Smith (D-Euclid) said there was discussion of an amendment to allow housing authorities to waive the exclusion on a case-by-case basis.

Bill Faith, executive director of the Coalition on Homelessness and Housing in Ohio, said the most common problems his group hears on their housing hotline is for landlords not maintaining their properties.

"We do think this is a one-sided approach where we're putting these real stiff penalties, these criminal mischief penalties, on the side of the tenants," he said. "What are we going to do with landlords not maintaining their properties?"

He said the bill could be abused by landlords as a tool of coercion to get money from tenants.

"It's in the informal interactions that occur before anything official proceeds," he said.

The bill would also add a criminal element to a civil relationship between landlords and tenants, Mr. Faith said.

Rep. Jim Hughes (R-Columbus) said prosecutors would be able to seek penalties other than jail, such as community service, and that they might be hesitant to take up cases in the first place.

Louis Tobin, executive director of the Ohio Prosecuting Attorneys Association, said in written testimony that he did not think prosecutors would charge tenants for trivial damage.

"First, it seems likely that a prosecutor could charge a person with criminal mischief for defacing, damaging, destroying or improperly tampering with rental property under the current statute," he wrote. "Second, given that charges could likely be brought under current law, we think it unlikely that the bill will lead to prosecutors now charging people with criminal mischief for trivial matters."

Supporters of the bill, including landlords, said the measure is needed to punish tenants who intentionally cause extensive damage to rental units.

"The simple fact is that the current criminal and civil penalties are not adequate to deter this type of damage from occurring," Laura Swanson, executive director of the Ohio Apartment Association, said in written testimony. "It is hoped that with this additional measure, we can prevent more of this destructive behavior. This

not only protects our business investment but ensures are properties are back on the market in a timely manner, available for new tenants to call home."

Peggy Rice, president of the Ohio Housing Authorities Conference and executive director of the Portsmouth Metropolitan Housing Authority, said screening criteria for housing authorities is often guided by the U.S. Department of Housing and Urban Development.

"In recent years, HUD policy has guided Housing Authorities to be less stringent in screening criteria in an effort to achieve the core mission of providing safe, affordable housing to all," she said. "We have serious apprehension HB282 would put us at odds with HUD policies and regulations."

She gave the example of a veteran with post-traumatic stress disorder who damages a rental unit during a flashback. If the veteran is convicted under the bill, she said, he would not be eligible for subsidized housing.

Public Defender Questions Sentencing Bill's Comparisons To Recod Recommendations

The Office of the Public Defender on Tuesday spoke out against provisions of a bill that would move Ohio back to indefinite sentencing.

Niki Clum, legislative liaison for the office, sought to refute the notion that provisions in the bill ([HB 365](#)) are consistent with recommendations made by the Criminal Justice Recodification Committee.

"The Ohio Public Defender believes that the spirit of what the Recodification Committee recommended is not captured in this bill," she said. "OPD does support indefinite sentencing because it creates incentives for inmates to continue with their education, attend substance abuse counseling, and use their time while incarcerated to work towards their full potential."

However, she said the study panel's recommendation was for a minimum sentence to potentially be lengthened by 50%. The bill would allow a minimum sentence to be extended by 150%.

Ms. Clum also said the Recodification Committee recommended that all felony offenders be subjected to indefinite sentencing while the measure would target only first- and second-degree felonies and some third-degree felony offenses.

The bill also fails to include a judicial release component, as was recommended by the ad hoc committee, Ms. Clum said.

Testifying as an interested party, Gary Daniels, chief lobbyist for the ACLU of Ohio, said a return to indeterminate sentencing could benefit Ohio's severely overcrowded prison system.

But Mr. Daniels did raise some concerns about increased responsibility for the Department of Rehabilitation and Correction and uncertainty over costs and funding.

"Of course," he said, "HB365's costs can be further mitigated by reducing other prison system costs. This can be accomplished via much-needed legislation to adopt, for example, meaningful reform while ending the process of constantly introducing bills to create new crimes and enhancing existing sentences. Too often, positive potential reform is thwarted by measures that keep Ohio stuck in the past."

Sara Andrews, director of the Criminal Sentencing Commission, addressed some of the history on sentencing laws in Ohio, including the prison overcrowding that led to the formation of the recodification panel.

"Reoccurring themes include prison crowding, the complexity of the laws surrounding sentencing, increased funding for and targeted use of community punishments, responding to drug scourges and the preservation of prison beds for the most violent offenders," she said in interested party testimony.

"The reality is that we are suffering from the cumulative effect of tinkering with sentencing structure on limited data sources and a crime-by-crime basis. Continuing to advance criminal justice policy and legislation on narrow circumstances and data does not contribute to public safety or advance the administration of justice."

Rep. Bill Seitz (R-Cincinnati) questioned Ms. Andrews on the OPD's contention that the bill is not in line with the Recodification Committee's recommendations.

Ms. Andrews said that while the Sentencing Commission has not taken a formal position on the matter, informal discussions have led her to believe that the OPD is correct.

Chairman Rep. Nathan Manning (R-N. Ridgeville) questioned whether the bill amounts to a return to pre-"truth-in-sentencing."

She said that is not necessarily the case because "truth-in-sentencing" has been chipped away at over the years.

"We are far removed from 'truth-in-sentencing' as we know it already," she said.

Phyllis Carlson-Riehm of the ACTION OHIO Coalition For Battered Women provided written proponent testimony on the bill, saying the bill will "lead to the prevention of many felony crimes and the victimization of many Ohioans."

"Based on research findings right here in Ohio, it is clear that violent offenders create great risks in our communities. The behavior they exhibit in prison can be indicative of their actions once released," she wrote.

"It appears that House Bill 365 will provide the means to motivate good behavior from inmates capable of leading a crime-free life. But House Bill 365 will also provide the means to hold inmates accountable if they demonstrate the same type of anti-social behaviors in prison as the behaviors that landed them in prison in the first place."

The bill, also known as the "Regan Tokes Act," has drawn concern from the state's prosecutors, judges and law enforcement officials. (See Gongwer Ohio Report, November 27, 2017)

Speaker Defends Response To Inappropriate Behavior Reports As Religious Group Calls For Further Examination

A group of conservative religious leaders are calling for further investigation into recent House and Senate resignations tied to inappropriate behavior.

While state leaders have said they've addressed the issues, the Ohio Christian Alliance on Tuesday called on the attorney general and legislative inspector general to request all records that pertain to the incidents from General Assembly leadership.

The group's email prompted a quick statement of defense from Speaker Cliff Rosenberger (R-Clarksville), whose spokesman said it amounted to "spreading lies and politicizing the issue."

OCA declared in its email that a "moral crisis has emerged at the Ohio Statehouse in recent weeks and requires the attention of people of goodwill to address it."

Members who signed the online statement said they're specifically concerned with incidents involving former Sen. Cliff Hite, former Rep. Wes Goodman and former Senate Democratic Caucus Chief of Staff Michael Premo, all of whom resigned amid allegations of inappropriate behavior.

No details have been made public on Mr. Premo's resignation and Senate President Larry Obhof (R-Medina) recently told reporters he was still trying to gather all the information about the situation.

The group also pointed to a report that Rep. Mike Henne (R-Clayton) had undergone sensitivity training following an allegation that he made inappropriate remarks.

OCA said its request for information that could determine whether criminal charges should be filed, is done partly on behalf of the young people who work in state government, such as pages, aides and interns.

"They need to know that the adults that are serving the public's trust do so with the utmost highest standards. It is important for these young people to feel confident and not threatened in the environment as they work in state government," the group wrote.

The group expressed hope for a quick response to the request, but the attorney general's office said it has already been actively working with stakeholders in regard to the conduct situations.

"As news reports involving harassment and inappropriate conduct at the Statehouse have come out, Attorney General DeWine has reached out to the Legislative Inspector General Tony Bledsoe, Franklin County prosecutor Ron O'Brien, and Colonel Paul Pride of the Ohio State Highway Patrol to offer any assistance they may potentially need from the Ohio Attorney General's Office," DeWine spokesman Dan Tierney said.

Sen. Obhof and Rep. Rosenberger both ordered mandatory sexual harassment training in the wake of the recent incidents.

Rosenberger spokesman Brad Miller said the House has complied with all requests for information regarding any incidents that occurred in the chamber.

"It is a shame that an organization like this would resort to spreading lies and politicizing this issue in an effort to distract from the facts. We have been, and will continue to be, fully transparent and responsive in these matters," he said.

Mr. Miller also said the speaker, who instituted harassment training for all members, has "acted swiftly and decisively on any and all allegations pertaining to the Ohio House."

"We have been transparent and responsive to further inquiries following Goodman's resignation and have worked closely with JLEC and the Inspector General on this issue. Any allusion by the Christian Alliance or others to the contrary is false," he said.

Services Set For Former Senate President Harris

Funeral arrangements were announced Tuesday for former Senate President Bill Harris, who died Monday at the age of 83.

Calling hours will take place 4:30-8 p.m. Friday, Dec. 1 in the sanctuary of Grace Brethren Church of Ashland, 1144 W. Main St. in Ashland, and at the same location at 10 a.m. Saturday, Dec. 2.

A celebration of life service led by Pastor Dan Allan will be held directly after Saturday's viewing, starting at 11 a.m. in the sanctuary. The services are open to the public, with private burial immediately following.

Mr. Harris was remembered as a straight-talking, soft-spoken lawmaker and leader by many Ohio officials Monday. The U.S. Marine veteran and former longtime auto dealer died after battling cancer for several months. (See [Gongwer Ohio Report, November 27, 2017](#))

A full obituary prepared by his family was released Tuesday and posted on [the website of Heyl Funeral Home](#) of Ashland, where online condolences may be posted.

In lieu of flowers, memorials may be made to Hospice of North Central Ohio or Ashland Grace Brethren Church.

Gongwer Statehouse Job Market Updated

Gongwer's Statehouse Job Market has been updated. The update is available on the [Gongwer website](#).

Subscribers interested in posting job openings on Gongwer's employment board can send job descriptions and other information to gongwer@gongwer-oh.com.

Supplemental Event Planner

Thursday, December 7

Cincinnati Chamber legislative reception, The Transept, 1205 Elm St., Cincinnati, 4 p.m.


Tuesday, December 12

Rep. Ryan Smith (R-Bidwell) fundraiser, Smith Brothers Hardware Building, Juniper Rm., 580 N. Fourth St., Columbus, 5:30 p.m., (\$500 to Friends of Ryan Smith)

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Daily Activity Planner for Wednesday, November 29

Legislative Committees

House Health (*Committee Record*) (Chr. Huffman, S., 466-8114), Rm. 121, 9 a.m.

SB DAY DESIGNATION (Eklund, J.) To designate September 25 as 'International Ataxia Awareness Day' in 143 Ohio. (1st Hearing-Sponsor)

HB ANATOMICAL GIFTS (Antani, N.) Regarding anatomical gifts, transplantation, and discrimination on 332 the basis of disability. (4th Hearing-All testimony-Possible vote)

HB NEWBORN SCREENING (Boggs, K., Butler, J.) To include spinal muscular atrophy as an additional 397 disorder to be screened for under the Newborn Screening Program. (1st Hearing-Sponsor)

HB PHYSICAL THERAPY (Gavarone, T., Reineke, B.) To modify the laws governing the practice of physical 131 therapy. (5th Hearing-All testimony-Possible vote)

HB ABORTION (Hagan, C., Hood, R.) To generally prohibit an abortion of an unborn human individual with a 258 detectable heartbeat and to create the Joint Legislative Committee on Adoption Promotion and Support. (2nd Hearing-Proponent)

Senate Ways & Means (*Committee Record*) (Chr. Eklund, J., 644-7718), South Hearing Rm., 9 a.m.

HBTIF DISTRICTS (Cupp, R.) To require reimbursement of certain township fire and emergency medical 69 service levy revenue forgone because of the creation of a municipal tax increment financing district. (6th Hearing-All testimony-Possible amendments & vote)

HBDISASTER WORK (Ryan, S.) To create the Disaster Relief Act to exempt out-of-state disaster businesses 133 and qualifying out-of-state employees from certain taxes and laws with respect to disaster work on critical infrastructure performed in this state during a declared disaster. (1st Hearing-Sponsor)

SB GARBAGE FEES (O'Brien, S.) To authorize all municipal corporations that charge a garbage collection fee 181 to certify unpaid amounts to the county auditor, who must enter the fees on the property tax list to be collected in the same manner as real property taxes. (3rd Hearing-All testimony)

SB TAX HOLIDAY (Bacon, K.) To provide for a permanent three-day sales tax "holiday" each August during 226 which sales of clothing and school supplies are exempt from sales and use tax. (1st Hearing-Sponsor)

House Government Accountability & Oversight (*Committee Record*) (Chr. Blessing, L., 466-9091), Rm. 114, 9:30 a.m.

SB COUNTY INVESTMENTS (Wilson, S.) To modify the qualifications regarding notes eligible for 163 investment of county inactive moneys. (1st Hearing-Possible amendments & vote)

HB TAX COMPLAINTS (Greenspan, D.) To increase the time within which boards of revision must decide 361 property tax complaints. (3rd Hearing-All testimony-Possible amendments)

HB UNEMPLOYMENT COMPENSATION (Schuring, K.) To modify terms describing payments made 382 under the Unemployment Compensation Law, to increase the amount of wages subject to unemployment

compensation premiums, to require qualifying employees to make payments to the Unemployment Compensation Insurance Fund, to allow the Director of Job and Family Services to adjust maximum weekly benefit amounts, to reduce the maximum number of benefit weeks, and to make other changes to the Unemployment Compensation Law. (5th Hearing-All testimony)

HJR UNEMPLOYMENT COMPENSATION (Schuring, K.) Proposing to enact Section 2t of Article VIII of the Constitution of the State of Ohio to allow the General Assembly to provide by law for the issuance of bonds to pay unemployment compensation benefits when the fund created for that purpose is or will be depleted or to repay outstanding advances made by the federal government to the unemployment compensation program. (5th Hearing-All testimony)

HB COMMUNITY SCHOOLS (Roegner, K.) Regarding public moneys returned to the state as a result of a finding for recovery issued pursuant to an audit of a community school. (5th Hearing-All testimony-Possible amendments)

HB PUBLIC RECORDS (Huffman, S., Cera, J.) To include judges as individuals whose residential and familial information is exempt from disclosure under the Public Records Law, and whose addresses public offices, upon request, must redact from records available to the general public on the internet. (4th Hearing-All testimony-Possible amendments)

HB LENDING LAWS (Kochler, K., Ashford, M.) To modify the Short-Term Loan Act, to specify a minimum duration requirement for loans made under the Small Loan Law and Mortgage Loan Law, and to limit the authority of credit services organizations to broker extensions of credit for buyers. (1st Hearing-Sponsor)

SB CAMPAIGN FINANCE (LaRose, E.) To allow certain campaign committees and other entities to file campaign finance statements electronically and to require the Secretary of State to make the information in those electronic statements available online. (2nd Hearing-Proponent-Possible amendments)

Senate Government Oversight & Reform (*Committee Record*) (Chr. Coley, B., 466-8072), Finance Hearing Rm., 9:45 a.m.

- The panel will consider the governor's appointments of Mariame Diabate, Eugenie Kirenga, Comfort Kenneh and Ibrahima Sow to the New African Immigrants Commission.

HB FIREWORKS (Seitz, B., Sweeney, M.) To establish a fireworks study group to review and make recommendations regarding the Fireworks Law, to extend to July 1, 2020, the moratorium on issuing fireworks manufacturer and wholesaler licenses, to eliminate, beginning January 1, 2021, the moratorium on geographic transfer of fireworks manufacturer and wholesaler licenses, and, beginning July 1, 2020, to impose a fee on the retail sale of consumer grade fireworks in this state and to expand the ability of individuals to obtain 1.3G display fireworks and obtain and use 1.4G consumer fireworks. (1st Hearing-Sponsor)

SB AGENCY RULEMAKING (Uecker, J.) To amend, for the purpose of adopting a new section number as indicated in parentheses, section 127.18 (106.024); to enact sections 101.352, 101.353, 106.032, 121.93, 121.931, 121.932, and 121.933; and to repeal section 121.76 of the Revised Code to reform agency rule-making and legislative review thereof. (2nd Hearing-Proponent)

HB COMMUNICATION DISABILITIES (Gavarone, T., Wiggam, S.) To establish a database of persons who voluntarily register as being diagnosed with a communication disability or who voluntarily register a minor child or ward as the parents or guardians of such persons for purposes of law enforcement notification. (2nd Hearing-Proponent)

House Transportation & Public Safety (*Committee Record*) (Chr. Green, D., 644-6034), Rm. 017, 10 a.m.

HB BROAD NAMING (Faber, K.) To designate a portion of State Route 705 in Shelby County as the "Michael J. Aselage Memorial Highway." (1st Hearing-All testimony-Possible amendments)

HB DRIVING PRIVILEGES (Butler, J., Sykes, E.) To require a court to grant limited driving privileges to a person in relation to a driver's license suspension under certain circumstances. (3rd Hearing-Opponent & interested party-Possible vote)

HB VEHICLE TITLES (Hagan, C.) To allow owners of a motor vehicle, watercraft, or outboard motor who have joint ownership with right of survivorship to transfer title through a transfer-on-death designation. (3rd

■ Hearing-Opponent & interested party-Possible amendments & vote)

HBROAD NAMINGS (Boccieri, J.) To designate a portion of U.S. Route 224 in Mahoning County as the 294"Patrolman Charles K. Yates Memorial Highway" and a portion of State Route 170 in Mahoning County as the "Patrolman Richard E. Becker Memorial Highway." (1st Hearing-All testimony-Possible vote)

■ **HBPICNIC AREA NAMING** (Arndt, S., Stein, D.) To designate a picnic area in Kelleys Island State Park as 316the "Henry T. Beatty Memorial Picnic Area." (1st Hearing-All testimony-Possible amendments & vote)

■ **HBLICENSE PLATE** (Ingram, C., Kelly, B.) To create the "Cincinnati City School District" license plate. (1st 328Hearing-All testimony-Possible vote)

■ **HBLICENSE PLATE** (Hambley, S., Kick, D.) To create the "Medina County" license plate. (1st Hearing-All 344testimony-Possible vote)

House Insurance (Committee Record) (Chr. Brinkman, T., 644-6886), Rm. 116, 10 a.m.

■ **HB DENTAL INSURANCE** (DeVitis, T.) To prohibit a health insurer from establishing a fee schedule for 367dental providers for services that are not covered by any contract or participating provider agreement between the health insurer and the dental provider. (1st Hearing-Sponsor)

■ **HBLICENSE FEES** (Barnes, J., Greenspan, D.) To prohibit the imposition of driver's license and temporary 336instruction permit reinstatement fees in specified circumstances and to name this act the Reinstatement Fee Amnesty Initiative. (3rd Hearing-All testimony-Possible vote)

■ **HBAUTO INSURANCE** (Antani, N.) To create a study committee to author a report making recommendations 284about ways to reduce the cost of insurance premiums among commercial drivers ages eighteen to twenty-five. (3rd Hearing-All testimony-Possible vote)

■ **SB TRAVEL INSURANCE** (Wilson, S.) To oversee the sale of travel insurance. (2nd Hearing-All testimony- 169Possible amendments & vote)

■ **HBWORKERS COMPENSATION** (Seitz, B., Householder, L.) To prohibit illegal and unauthorized aliens 380from receiving compensation and certain benefits under Ohio's Workers' Compensation Law. (2nd Hearing-All testimony-Possible amendments, substitute & vote)

House Higher Education & Workforce Development (Committee Record) (Chr. Duffey, M., 644-6030), Rm. 115, 11 a.m.

■ **HB TENURED FACULTY** (Young, R.) To require permanently tenured state university or college faculty 66 members to teach at least three credit hours of undergraduate courses per semester. (6th Hearing-All testimony-Possible amendments & vote)

Senate Rules & Reference (Committee Record) (Chr. Obhof, L., 466-7505), Majority Conf. Rm., 11 a.m.

House Session (Committee Record) (Chr. Rosenberger, C., 466-3357), House Chamber, 1:30 p.m.

Senate Session (Committee Record) (Chr. Obhof, L., 466-4900), Senate Chamber, 1:30 p.m.

~~Canceled: **House Community & Family Advancement** (Committee Record) (Chr. Ginter, T., 466-8022), Rm. 114, 3 p.m. or after session~~

■ **HB PUBLIC ASSISTANCE** (Young, R.) Regarding the release of information concerning public and medical 340assistance recipients. (4th Hearing-All testimony-Possible substitute)

■ **HB CHILD SUPPORT** (Gavarone, T.) To make changes to the laws governing child support. (2nd Hearing- 366Proponent)

■ **HB PARENTAL RIGHTS** (Gonzales, A., Rezabek, J.) To generally prohibit a person's blindness from being 309used to deny or limit custody, parenting time, visitation, adoption, or service as a guardian or foster caregiver, regarding a minor. (3rd Hearing-All testimony)

■ **HB CHILD CARE** (Carfagna, R.) Regarding parental notice of serious risks to the health or safety of children

383receiving child care. (2nd Hearing-Proponent)

Senate Education (Committee Record) (Chr. Lehner, P., 466-4538), South Hearing Rm., 3:15 p.m.

- Presentation from State Superintendent Paolo DeMaria on Ohio's revised standards

House State & Local Government (Committee Record) (Chr. Anielski, M., 644-6041), Rm. 017, 3:30 p.m.

HBOVERNMENT INSURANCE (Wiggam, S.) To authorize counties, townships, and municipal corporations to purchase an employee dishonesty and faithful performance of duty insurance policy, instead of a bond, for protection from loss due to the fraudulent or dishonest actions of, and the failure to perform a duty prescribed by law by, an officer, official, employee, or appointee for which a bond is required by law. (4th Hearing-All testimony-Possible vote)

HIDENTIFICATION CARDS (Barnes, J.) To provide that any nondriver identification card that is issued to a resident of Ohio who is permanently disabled must be issued without an expiration date. (4th Hearing-All testimony-Possible vote)

SB AGENCY CONTRACTS (Manning, G.) To allow a board of alcohol, drug addiction, and mental health services to authorize its executive director to execute contracts valued at \$50,000 or less without the board's prior approval. (3rd Hearing-All testimony-Possible amendments & vote)

HGARBAGE FEES (Patterson, J.) To authorize all municipal corporations that charge a garbage collection fee to certify unpaid amounts to the county auditor, who must enter the fees on the property tax list to be collected in the same manner as real property taxes. (2nd Hearing-All testimony)

Agency Calendar

Residential Construction Advisory Committee, Division of Industrial Compliance, 6606 Tussing Road, Training Room 1, Reynoldsburg, 9 a.m.

Petroleum Underground Storage Tank Release Compensation Board, 4151 Executive Parkway, Suite 350, Westerville, 10 a.m. (The Finance Committee meets at 9 a.m.)

Board of Building Appeals, Division of State Fire Marshal, Multi-Purpose Room, 8895 East Main Street, Reynoldsburg, 12:30 p.m.

Public Utilities Commission of Ohio, 180 E. Broad St., 11th Fl., Columbus, 1:30 p.m.

Event Planner

Rep. Michele Lepore-Hagan (D-Youngstown) fundraiser, Einstein Bros. Bagels, 41 S High Street, Columbus, 8 a.m., (Sponsor \$1,000, Host \$500, Friend \$350 to Michele Lepore-Hagan for State Representative)

American Heart Association/American Stroke Association Fall Advocacy Day, Riffe Center, 77 S. High St., Davidson Theatre Lobby, Columbus, 8 a.m.

Rep. Scott Lipps (R-Franklin) fundraiser, Due Amici, 67 E. Gay Street, Columbus, 11:30 a.m., (Special Guest Rep. Ryan Smith. Chair: \$1,000; Host: \$500; Sponsor: \$350 to Friends of Scott Lipps)

Buckeye Art Therapy Association's Art Therapy in Ohio Advocacy Day: BATA Art Therapy Gallery, Thomas Worthington Center, Statehouse, Columbus, 12 p.m.

Ohio House Republican Organizing Committee fundraiser, Athletic Club of Columbus - Gold Room, 136 E. Broad Street, Columbus, 5 p.m., (Chair: \$2,500; Host: \$1,000; Sponsor: \$500 to OHROC)

Rep. Jim Butler (R-Oakwood) fundraiser, Athletic Club of Columbus - Parlor A/B, 136 E. Broad Street, Columbus, 5 p.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Butler for Ohio)

Rep. Michael O'Brien (D-Warren) fundraiser, Gresso's 961 S. High St., Columbus, 5:30 p.m., (Sponsor \$1000, Host \$500, Friend \$350 to Committee to Elect Michael J. O'Brien)

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GONGWER Ohio
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Senate Activity for Tuesday, November 28, 2017

COMMITTEE HEARINGS

Finance

HB FANTASY CONTESTS (Dever, J., McColley, R.) To grant the Ohio Casino Control Commission the 132 authority to regulate fantasy contests and to exempt fantasy contests from the gambling laws. (**REPORTED-AMENDED**; 5th Hearing-All testimony-Possible amendments & vote)

The committee voted to report the bill after accepting several amendments.

Sen. Bill Coley (R-Liberty Twp.) voted against reporting the measure. Sen. Matt Dolan (R-Chagrin Falls) was excused.

Several amendments clarified certain aspects of the bill, including one that prohibits fantasy sports operators, their relatives, or athletes from participating in any daily fantasy sports contests, said Sen. Dave Burke (R-Marysville). Another amendment clarified that money from fees would be deposited into a specific line item for the Casino Control Commission, Sen. Burke said, and another would clarify that horse racing is not a fantasy contest.

Another amendment made changes to the audit provisions in the bill, Sen. Coley said.

The committee also accepted an amendment Sen. Burke described as a technical amendment from the Legislative Service Commission.

Judiciary

HB STRUCTURED SETTLEMENTS (Dever, J.) Relative to transfers of structured settlement payment 223 rights. (**REPORTED-AMENDED (No testimony)**; 3rd Hearing-All testimony-Possible amendments & vote)

Before being reported, the panel accepted an amendment to the bill offered by Sen. Matt Huffman (R-Lima) dealing with Interest on Lawyer Trust Accounts.

SB CHILD SUPPORT (Beagle, B.) To make changes to the laws governing child support. (**REPORTED**; 125 6th Hearing-Possible vote)

Graham Bowman, an attorney with the Ohio Poverty Law Center, said in written testimony that his group still opposes the bill because it has yet to reach an agreement with proponents of the measure on proposed amendments.

"It is our hope that any eventual legislation addresses our concerns that SB125, as currently drafted, will have a severe impact on a major source of income for low-income families," he wrote.

SB VEHICLE TOWING (Terhar, L.) To require only one notice to be sent to a vehicle owner and any known 194 lienholder after a vehicle is towed from a private tow-away zone. (**CONTINUED**; 1st Hearing-Sponsor)

Sponsoring Sen. Lou Terhar (R-Cincinnati) said current law requires private towing yards to send three certified letters to vehicle owners.

The legislation "would require the towing yard to send only one certified letter after five days of impound. Currently, public impound lots are required to send only one certified letter before obtaining the vehicle title, and there is no clear reason for the distinction," he said.

Sen. Terhar said that for larger towing yards, the cost to send certified letters can amount to more than \$50,000 per year.

"The monetary costs coupled with the additional labor required to conform make this regulation unduly burdensome," he said.

SB STRANGULATION (Kunze, S.) To expand the offense of felonious assault to include knowingly causing 207 or attempting to cause physical harm to another person by means of strangulation or suffocation.

■ (CONTINUED (See separate story); 2nd Hearing-Proponent)

SB WEAPON POSSESSION (Terhar, L.) To allow a law enforcement officer or investigator, whether on or 208 off duty, to carry a weapon on certain premises open to the public. (CONTINUED; 2nd Hearing-Proponent)

■

Dublin Police Chief Heinz von Eckartsberg, who also serves as chair of the legislative committee for the Ohio Association of Police Chiefs, said the bill will improve safety for the general public.

"With the number of active shooter situations in our country increasing at an alarming rate, this will give our law enforcement officers the ability to protect the public in venues where currently they are prohibited from entering if armed," he said.

J. Ryan Conlon, past president of Fraternal Order of Police Lodge #74, echoed that sentiment and said the bill will also help to keep law enforcement official safe.

"In our times today it doesn't take much for someone to look officers up on the internet, see where they live, see who they are married too, and many other things about them," he said in written testimony. "This is one of the reasons I feel that this bill is paramount for the safety of all the officers we have working today."

Brian Steel, on behalf of the Fraternal Order of Police of Ohio, said that all law enforcement officers are well trained and should be allowed to carry their firearms while off duty.

"Officers are required every year to effectively complete a firearm requalification program approved by the Ohio Peace Officer Training Commission," he said.

Officer Marc L. Terhar also provided written testimony in support of the bill.

SB OFFENDER DATABASE (Gardner, R.) To provide for a violent offender database, require violent 231 offenders to enroll in the database, and name those provisions of the act "Sierah's Law;" to modify the membership and duties of the Ex-Offender Reentry Coalition and eliminate its repeal; to require halfway houses to use the single validated risk assessment tool for adult offenders that the Department of Rehabilitation and Correction has developed; and to provide that the notice of release from prison of specified serious offense offenders that is given to sheriffs is to be the same as that provided to prosecuting attorneys and eliminate the notice to sheriffs regarding pardons, commutations, paroles, and transitional control transfers of offenders. (CONTINUED (See separate story); 1st Hearing-Sponsor & proponent)

SB TESTIMONIAL PRIVILEGE (Eklund, J.) To provide generally a testimonial privilege for 41 communications between a qualified advocate rendering advocacy services and a victim of sexual violence, menacing by stalking, or domestic violence, to exempt the nondisclosure of that privileged communication from the offense of failure to report a crime, to require a qualified advocate to report knowledge or reasonable

suspicion of child abuse or neglect of the victim except for privileged communications, and to specify circumstances in which the victim is considered to have waived the privilege. **(CONTINUED-SUBSTITUTE; 1st Hearing-Sponsor & Possible amendments)**

A substitute version of the bill adopted by the committee will "make everyone equally miserable" Sen. John Eklund (R-Chardon) said. (Comparison Document)

The legislation would add "qualified advocates" to the list of those exempt from reporting felonies that have been or are being committed, Sen. Eklund said in sponsor testimony.

Under the measure, "qualified advocates" are defined as those who are specifically trained and engaged in providing advocacy services to victims of sexual violence, stalking, human trafficking or domestic violence.

"Survivor access to safety and healing depends on their ability to speak freely and frankly with specially trained advocates," Sen. Eklund said. "Knowing that advocates can be forced to disclose that information later curbs survivors' ability to seek services after being trafficked or experiencing an act of domestic violence or sexual assault."

Thirty-six states have similar laws, according to Sen. Eklund, who also said data has found that confidential advocacy services lead to an increase in reporting to law enforcement.

SBFIREARMS (Terhar, L.) To waive the concealed carry license fee for active members of the armed forces **81** and retired and honorably discharged veterans, to accept military experience with firearms as proof of competency with firearms regardless of when the applicant for a license acquired the experience, to permit a licensee to renew a concealed handgun license at any time before the expiration of the license, and to require the Attorney General to monitor the number of license fees waived and cap the total amount allowed to be waived at \$1.5 million. **(CONTINUED (No testimony); 2nd Hearing-Proponent)**


Subscriber's Note: For full written testimony, see the committee's website under Nov. 28.

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Click the  after a bill number to create a saved search and email alert for that bill.

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Sarah LaTourette Kayser <latoursm@gmail.com>

Welcome Brooklyn Roberts, ALEC HHS Task Force Director

1 message

Bartlett Cleland <ahackbarth@alec.org>

Wed, Nov 29, 2017 at 2:37 PM

To: latoursm@gmail.com

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HHS Task Force Members,

I am excited to report that Brooklyn Roberts joining us as the new HHS Task Force Director where she can continue ALEC's success.

Brooklyn has an excellent balance of politics and policy that will prove valuable in understanding the needs of task force members and in moving forward the agenda of ALEC members. She has done everything from run a statewide race in Alabama for attorney general, to working at the grassroots level on Medicare Part D, the Independent Payment Advisory Board (IPAB), and pharmaceutical importation. She is an attorney who graduated from the University of Alabama Law School and received her bachelor's degree in philosophy from the same university.

Today is her first day so she is here just in time for the meeting next week. She can be reached at BRoberts@ALEC.org. Please join me in welcoming her to our team.

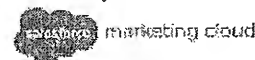
Best,

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You're Invited to the HHS Task Force Reception

1 message

Brooklyn Roberts <broberts@alec.org>
To: latoursm@gmail.com

Thu, Nov 30, 2017 at 4:08 PM

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You are invited to attend the

**Health and Human Services
Task Force Reception**

Thursday, December 7th

5:30 pm – 6:30 pm*

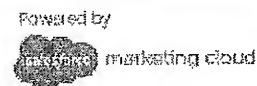
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You must be registered for the ALEC States and Nation Policy Summit to attend

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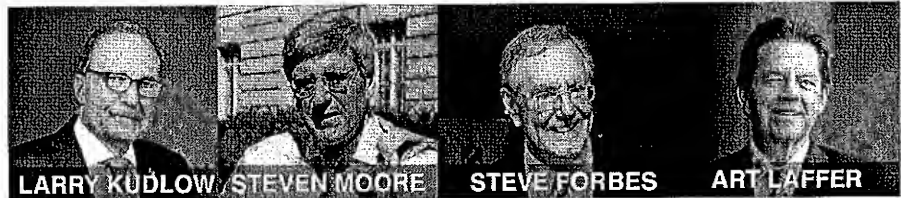
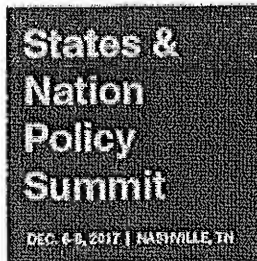
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To view this email as a web page, go [here](#).**States and Nation Policy Summit Preview**
November 30, 2017

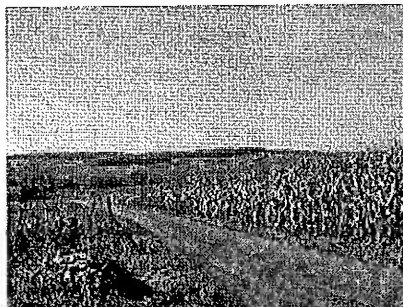
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States and Nation Policy Summit Update

As the December 6th policy meeting gets closer, ALEC has a list of alternate lodging for those still in need of accommodations. This year's event is forecast to be one of the largest. Don't miss out on hearing from political leaders and the opportunity to attend the workshops. Visit the ALEC meetings page for more information.

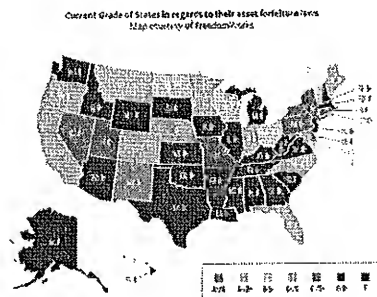
[Register Today](#)**New Caucus Update****Attend Inaugural Rural Caucus Meeting in Nashville**

With a majority of ALEC legislators representing rural America, we are launching the *ALEC Rural Caucus*. Working together, we can put in place a plan of action to spur investment and innovation. Join your colleagues on the morning of December 6 at the States and Nation Policy Summit for the inaugural meeting of the *ALEC Rural Caucus*.

[Register Today](#)

ACCE Workshop Spotlight

ACCE Workshop on Opioid Addiction and Civil Asset Forfeiture Reform

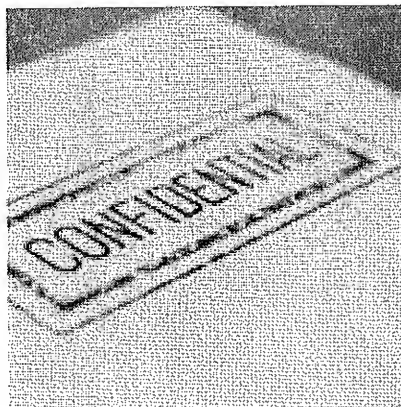


The American City County Exchange (ACCE) will be holding a number of workshops throughout the week, including one on Civil Asset Forfeiture reform against the backdrop of the current opioid epidemic. Come learn about innovative solutions and how local and county governments are reforming criminal justice systems to help fight this crisis.

[Check Out Agenda](#)

Free Speech Workshop

Learn about Disclosure Demands that Threaten Donor Privacy



The ALEC Center to Protect Free Speech is dedicated to protecting Donor Privacy and the right for people to support causes without opening themselves up to harassment and targeting. Come learn about some of the threats to this ideal at the Workshop: Your Name on a Government List, Disclosure Demands that Threaten Donor Privacy, at the ALEC States and Nation Policy Summit.

[Check Out Agenda](#)

Expert Insight

Giving Tuesday: Good Tax Policy Helps Good People Do More Good

Elliot Young | Center for State Fiscal Reform

#GIVING
TUESDAY

Charitable giving does not occur in a vacuum. While an individual's moral beliefs may motivate giving, the actual capacity for one to give is largely a function of income, expenses, and the perceived quality of the available charitable causes. States with higher taxes strongly correlate with less giving, while states with lower taxes tend to see higher rates of giving.

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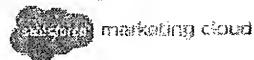


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Ohio Report, Tuesday, December 5, 2017

1 message

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To: sml@sarahlatourette.com

Tue, Dec 5, 2017 at 6:33 PM

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OHIO REPORT TUESDAY, DECEMBER 5

Senate Approves Computer Science Standards, CDL Waiver Bills; Key Vacancies Filled

House Passes Controversial BWC Legislation, Government Credit Card Measure

Committee Considers Adding Board Consolidation Language To Doctor Drug Treatment Bill

Kasich Administration Raises Red Flags About Amendments On Well Capping Bill

Committee Vote Expected Next Week On Unemployment Compensation Bill

Proponents Urge Bill Blocking Drug Dealers From Preying On Those In Recovery

Emergency Bill To Create Franklin County Judgeships Headed To Governor

Traffic Camera Bill Designed To Restore Due Process, Sponsors Say

Cordray Kicks Off Campaign He Says Will Focus On Economic Issues

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Governor's Appointments

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Local Government, Public Safety & Veterans Affairs

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Health, Human Services & Medicaid

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Volume #86, Report #233 -- Tuesday, December 5, 2017

Senate Approves Computer Science Standards, CDL Waiver Bills; Key Vacancies Filled

A measure directing the Department of Education to create computer science standards and detailing how schools can integrate courses on the topic was approved Tuesday in the Senate.

The chamber also unanimously advanced bills to add judges to the Franklin County domestic relations court (HB 174) (See separate story) and waive the commercial driver license test for military and veterans.

Sen. Peggy Lehner (R-Kettering) said the computer science bill (HB 170) will "usher Ohio classrooms into the 21st century."

"For anyone concerned by the achievement gap, or those who think today's learners should utilize technological resources, or those who want Ohio to remain competitive in future job markets, they should support increased access to computer science in schools," she said.

Pointing to the results of a 2015 Gallup poll, Sen. Lehner said 90% of parents want schools to teach computer science and the majority of parents and teachers believe it should be a required course as computer-related jobs are now the number one source of all new wages in the U.S.

However, she stressed that the legislation is permissive and does not require schools to offer computer science classes.

The bill is headed back to the House for a concurrence vote because it was amended in committee to clarify an auxiliary funds provision in the biennial budget.

The latest version also includes Senate language requiring parents to sign a form acknowledging that if their students substitute an advanced computer course for Algebra II, they may not be eligible to attend certain higher education institutions.

The change came in response to concerns that students or parents won't realize the importance of Algebra II, which is a prerequisite for admission to most Ohio colleges and universities, until it's too late.

"We want parents to be aware of that," Sen. Lehner said.

A dozen House lawmakers voted against the bill when it came before their chamber after a Democratic amendment to remove the Algebra II substitution was rejected.

Like the computer science bill, the goal of the commercial driver test bill is also to better ensure the capability of Ohioans to enter in-demand fields, sponsoring Sen. Frank LaRose (R-Hudson) said.

Current law enables certain veterans discharged in the last two years to waive the Commercial Driver's License skills test. The bill would - with permission from the U.S. Federal Motor Carrier Safety Administration - remove that two-year limit, expanding that opportunity to more veterans via a temporary pilot program, Sen. LaRose said.

Those eligible must have operated an equivalent vehicle for at least two years of their enlistment.

"Being able to make sure our military members are able to transfer quickly into civilian employment is vitally important, but there's another imperative that we're addressing with this bill as well, and that is the shortage of skilled truck drivers that we have in the state of Ohio," Sen. LaRose said.

Members on Tuesday also concurred with House changes to a measures that: permit law enforcement to disclose information from the Law Enforcement Automated Data System to a defendant in a criminal case (SB 333); and allow a board of alcohol, drug addiction, and mental health services to authorize its executive director to execute certain contracts without prior approval.

Vacancy Filled: Republicans voted 22-0 to appoint Rob McColley to the 1st Senate District seat. The Napoleon Republican is coming from the House, where he was serving his second term before being selected last week to fill the open Senate seat.

"This is another opportunity to serve northwest Ohio in a greater capacity," he said, thanking his caucus members for their support.

The Senate president assigned Sen. McColley to the committees on agriculture; education; transportation, commerce and workforce; and public utilities.

He replaces Cliff Hite, who abruptly resigned amid allegations of sexual harassment from an employee of the Legislative Service Commission.

Mr. McColley, who was the House assistant majority whip, was selected over five other applicants to fill the vacancy. (See Gongwer Ohio Report, November 28, 2017)

Chairman Named: Sen. President Larry Obhof (R-Medina) also appointed Sen. Bob Hackett (R-London) to chair the Senate Agriculture Committee - another spot left vacant by Mr. Hite's resignation.

"I am deeply honored to have been chosen for this new role," Sen. Hackett said in a statement. "Agriculture has a profound impact on the daily life of every Ohioan-producing nearly \$10 billion in products every year and employing one in seven Ohioans."

Sen. Hackett began his career in the agriculture industry and has worked to enact legislation that benefits agriculture, according to the majority caucus.

"Senator Hackett's leadership and experience on agricultural issues make him an excellent fit for this new role," Sen. Obhof said. "I have full confidence that he will provide solid guidance and direction as we continue to grow Ohio's largest industry and support Ohio's farming families."

Chief of Staff Tabbed: The Democratic caucus, meanwhile, appointed Mike Rowe as its new chief of staff.

He is set to take over the role - which was left open when Michael Premo resigned amid allegations of inappropriate conduct toward staff - on Dec. 18.

"Mike has been a great asset to our caucus while serving as communications director for nearly nine years," Minority Leader Kenny Yuko (D-Richmond Hts.) said. "He has the knowledge, experience and communications skills to do an outstanding job as our chief of staff."

Mr. Rowe is a former TV news anchor in Columbus and Youngstown and a graduate of Ohio University's Scripps School of Journalism.

"I'm honored to have the opportunity to serve as Chief of Staff for the Ohio Senate Democratic Caucus," he said. "We have a tremendous group of senators and a terrific staff and I look forward to helping our caucus achieve its goals for 2018 and beyond."

House Passes Controversial BWC Legislation, Government Credit Card Measure

House Republicans and Democrats on Tuesday joined in passing several pieces of legislation in bipartisan fashion, but agreement was hard to find over a controversial bill to bar unauthorized immigrants from obtaining workers' compensation benefits.

That bill (HB 380) ultimately passed the chamber 62-30 over the objection of Democrats who argued the legislation would incentivize unlawful businesses to hire undocumented help.

"Corporations that break the law and hire undocumented workers should have to take responsibility for workplace injuries - regardless of an employee's immigration status," House Minority Leader Fred Strahorn (D-Dayton) said. "Under HB 380, employers who rig the system will get off scot-free and taxpayers will be left with the bill."

But the main sponsors - Rep. Larry Householder (R-Glenford) and Rep. Bill Seitz (R-Cincinnati) - argued the bill puts Ohio workers first.

"We do not allow undocumented immigrants to get unemployment compensation," Rep Seitz said. "Illegal aliens do not get food stamps. By federal law, they do not get Medicaid except in cases of emergency. So all we're doing under this bill is making workers' compensation law consonant with the other provisions of law that limit the benefits we will extend to people who cut the line and come here illegally."

The bill is essentially the same as previous legislation amended into the BWC budget that cleared the chamber but was later removed by the Senate. The only major change, sponsors said, was added language ensuring that a U.S. citizen who is the spouse or dependent of an undocumented worker who is killed on the job may receive a death benefit.

"While some may feel that that's draconian, the fact of the matter is all of us here on this floor have been elected by citizens to support citizens," Rep. Householder said. "It's high time in the state of Ohio we put Ohioans first."

The chamber tabled an amendment from Rep. Tavia Galonski (D-Akron) that would have required employers to use the E-Verify system to ensure one's legal status. Rep. Seitz said the proposal hadn't been vetted and that the system isn't without its flaws.

Responding to Democrats, Republicans argued the bill could make the courts more of an option for employees who were deliberately hired.

"What this says is if you intentionally hire somebody who's an undocumented worker you no longer have that defense and they can sue you directly," Rep. Michael Henne (R-Clayton) said. "We're telling them if you intentionally hire them they will lose workers' compensation protection."

Democrats, though, argued that the bill shifts the burden of proof from the employer to the employee. Rep. Dan Ramos (D-Lorain) said the legislation "could be perceived as racist" and he decried the use of the term "illegal alien" as offensive. Not one proponent testified in support of the bill in committee, he said.

"This change to workers comp will negatively affect the lives of thousands of Latinos in this state who are already the victims of prejudice and discrimination, at a growing rate," Rep. Ramos said. "Regardless of intent, this bill is perceived by my community as racist. I will not continue to defend the actions of this body to the Latino community if it continues to pass legislation perceived as such."

Responding to that, Rep. Seitz said the term "undocumented worker" is akin to labeling a drug dealer an "undocumented pharmacist" and said the bill targets undocumented workers who knowingly deceive their employer through fake documents and other means.

And Rep. Householder said it's "ridiculous" to call the bill a shield for unscrupulous employers. The bill aims to fix an existing system that is shielding immigrants at the expense of Ohioans, he said.

"The fact of the matter is the workers' compensation system as it stands today in the state of Ohio is the shield," Rep. Householder said. "The system is broke today. Join myself, other members who support this and let's stop this and finally put Ohio workers first."

Other Business: The chamber voted 90-0 in support of legislation (HB 312) that sponsors Rep. Kirk Schuring (R-Canton) and Rep. Dave Greenspan (R-Westlake) said erects guardrails around political subdivisions' use of credit and debit cards.

The bill stems from a report by Auditor Dave Yost that found \$1.2 million in public funds have been misspent through credit card abuse. (See Gongwer Ohio Report, July 26, 2017) Mr. Yost applauded the bill's passage in a statement.

"This legislation requires local governments establish common-sense policies to protect tax dollars," Mr. Yost said. "Local officials will determine the standards of those policies, but there needs to be mechanisms in place so employees know what is permissible. This is a good-government bill."

Another bill earning the chamber's unanimous support was Rep. Dorothy Pelanda's proposal (HB 329) to strengthen consumer protections against pyramid schemes. The Marysville Republican said the bill protects Ohioans "by clarifying enforcement while enacting a law that will protect legitimate Ohio sellers."

The chamber approved a Senate bill (SB 71) to enable boards of alcohol, drug addiction and mental health services to authorize their executive directors to execute contracts valued at \$25,000 or less without prior approval. It would also enable temporary cash transfers to the Targeting Addiction Assistance Fund.

"The proposed changes...will be permissive, allowing each county board to determine the level of control it feels is necessary to meet its responsibilities," Rep. Marlene Anielski (R-Walton Hills) said.

Also passed by the chamber were bills to:

- Modify the Ohio State Highway Patrol Retirement Fund (HB 392) (91-0).
- Grant the Tiffin-Fostoria municipal court concurrent jurisdiction with the Seneca County court of common pleas in operating a drug addiction recovery program (HB 354) (91-0).
- Require the POW/MIA flag to be displayed at certain buildings operated by the state on certain days of commemoration (HB 254) (89-0).
- Designate Feb. 3 as "Charles Follis Day" after America's first African American professional football player (HB 254) (88-0).
- Support the Hyperloop Transportation Initiative that proposes to link Chicago, Columbus and Pittsburgh (HR 236) (88-3).

Members also approved a resolution condemning the boycott, divest and sanctions movement and expressing support for Israel (HCR 10), which passed on a 92-2 vote.

The chamber also concurred 86-3 with Senate changes to a bill (HB 132) that regulates daily fantasy sports contests through the Casino Control Commission and exempts it from gambling laws.

Leadership Slot Filled: Rep. Bill Reineke (R-Tiffin) was unanimously elected to fill the House assistant majority whip position Tuesday, filling a slot left open by the departure of Robert McColley, who was appointed the same day to a vacant Senate seat (*See separate story*)

"It's a pleasure to welcome Rep. Reineke to our leadership team," Speaker Cliff Rosenberger (R-Clarksville) said in a statement. "During his time in the House, Bill has been a steadfast champion for small businesses and working families throughout his district and across the state. His level-headed demeanor and commitment to looking at policy both critically and thoroughly will be a tremendous fit for our leadership team in the House."

Rep. Reineke stated, "I look forward to working as a member of the leadership team to advance the creation and retention of jobs and other issues to move our state forward as the best place to live and work. Thank you to the Speaker and leadership team for their confidence in me."

Committee Considers Adding Board Consolidation Language To Doctor Drug Treatment Bill

A bill designed to create a confidential drug treatment program for doctors and other health care providers could see a lengthy amendment added to streamline licensing board consolidation.

The bill (HB 145) could be used as a vehicle for various changes relating to the move to license dietitians and respiratory care providers under the State Medical Board through an amendment detailed Tuesday in the Senate Health, Human Services & Medicaid Committee.

Committee Chairman Sen. Dave Burke (R-Marysville) offered the amendment but then tabled it, suggesting the panel could consider it next week after members have had time to ask questions.

Jonithon LaCross, director of public policy and government affairs for the board, said the amendment is part of an effort to ensure uniformity in the license process for all of the practitioners under its purview.

For dietitians and respiratory care providers, he said, the licensing process would move from one year to two years, as would the fees, although the fees would be somewhat less than if they were doubled.

The amendment also details the membership, meeting times and other details for advisory councils that will help the board in regulating the two newly added professions, Mr. LaCross said.

The Board of Dietetics and the Respiratory Care Board were folded into the Medical Board as part of a broader consolidation effort included in the biennial budget bill (HB 49). (See Gongwer Ohio Report, July 27, 2017)

As introduced, the legislation deals with the creation of a confidential reporting and treatment system for doctors seeking help with substance abuse.

Tim Maglione, senior director of government relations for the Ohio State Medical Association, said the bill would require the State Medical Board to create a program for practitioners who have not previously participated in it or been sanctioned for drug, alcohol or substance abuse to avoid discipline if they meet conditions including treatment.

"Confidential access to a state physician's health program that provides high-quality addiction treatment allows a physician or other qualifying practitioner to get on a path to recovery," he said.

Dr. David Goldberg, medical director for the Ohio Physicians Health Program, said confidential programs create a system where doctors and other practitioners can receive treatment before disciplinary action is necessary.

"Ohio's One-Bite allows physicians and other healthcare professionals to seek out treatment for the first time without State Medical Board of Ohio involvement," he said. "This confidential treatment is allowed so long as the health care professional enters treatment at a Board approved facility, follows the recommended treatment program, and they do not suffer a relapse."

The bill would require cases of suspected impairment to be reported to the monitoring organization, rather than the Medical Board, to create a supportive environment to seek treatment without fear of discipline.

A.J. Groeber, executive director of the Medical Board, said the bill will set a new standard for treatment of impaired practitioners.

"The purpose of the Medical Board in this bill is to make sure the public is protected," he said, and the limit keeping those in treatment from returning to practice for 30 days is part of that.

The bill also includes drug screenings over the course of five years and other ways to ensure patients are protected, Mr. Groeber said.

Kasich Administration Raises Red Flags About Amendments On Well Capping Bill

Two amendments to a bill designed to funnel more funding into and expedite an existing program to cap orphaned and idled oil and gas wells drew concerns from a top administration official Tuesday.

The amendments, both offered by Rep. Andy Thompson (R-Marietta), would restrict the ability to transfer funds from the Division of Oil and Gas to pay for legal costs and settlements or to move the money to the General Revenue Fund.

"These are very grave concern to me," Office of Budget & Management Director Tim Keen told members of the House Energy & Natural Resources Committee during interested party testimony on the bill (HB 225).

Mr. Keen said the amendments, which were adopted without objection, target one fund of the more than 1,000 in the state treasury.

"This is essential to our flexibility to managing unforeseen circumstances that arise," he said.

The need for that flexibility arose, Mr. Keen said, because of two very large settlements the Department of Natural Resources reached in recent years.

He also warned that other agencies and departments will seek similar treatment if the provisions remain in the bill.

"If we begin to single out funds...the line will be long at your door to exclude other funds from such budgetary actions," he said.

Rep. Christina Hagan (R-Alliance) questioned that contention, noting that the revenue in the fund comes directly from the industry.

Mr. Keen said such transfers occur "hundreds and hundreds" of times each year.

Rep. Hagan also questioned spending decisions made daily by the administration of Gov. John Kasich without legislative approval.

"All these provisions have been authorized by law and provide flexibility to enact a budget and manage a budget when it's in place," Mr. Keen said.

Mr. Keen also took aim at a provision in the bill that would increase the money in the fund earmarked for the program from 14% to 45%.

"It is not the most efficacious way to determine the resources that ought to be allocated to this program to set a percentage in permanent law," he said.

But some lawmakers, including Rep. Hagan, questioned why ODNR has not been meeting the 14% mark in recent years.

Mr. Keen said that is a function of the increased amount of money that has been coming into the fund. He also said there has been a substantial improvement in the processes of the program, which is on track to spend about \$5 million this fiscal year.

"There has been significant increase in their activity," he said.

Rep. Hagan said no "pillaging" of the fund could occur if it was spent for specific purposes required by law.

The panel also heard testimony from Jerry James, president of Artex Oil Company, who also complained about transfers from the fund while testifying as a proponent of the bill. He said \$17.7 million has been used for settlements and legal fees despite the fact that the money was supposed to go in a "lock box."

Another \$45 million has been transferred to the GRF in recent years, he said.

"It should be noted that the money we are talking about belongs to both the producers and landowners of Ohio. This is not money from the general revenue fund," Mr. James said. "The agreement with the producers when they voluntarily agreed to raise these fees to fund the Division and plug wells was that these were the sole and exclusive purposes for which the money could be expended. All excess funding would be used for future plugging obligations."

He also called the 45% figure the minimum that should be used for plugging wells.

"Shale production and the increased funding to the Division from severance taxes and fees has created a once-in-a-lifetime opportunity to protect the ground water in the state of Ohio by locating and plugging every historic well," he said while testifying on behalf of the Ohio Oil and Gas Association.

Another amendment, offered by Rep. Tim Schaffer (R-Lancaster), reinserts a provision in the bill requiring that qualifications of engineering and surveying firms be requested.

Committee Vote Expected Next Week On Unemployment Compensation Bill

House Speaker Cliff Rosenberger and the chamber's second-ranking Republican say they're eyeing next week for a committee vote on a bill to overhaul the unemployment compensation system.

The bill (HB 382) and an accompanying resolution (HJR 4) again received no testimony in the House Government Accountability & Oversight Committee Tuesday.

The bill, which has had six hearings, has received little public input and no open support aside from sponsor Rep. Kirk Schuring (R-Canton). The two measures were marked for a possible vote this week, but no action was taken.

Rep. Schuring said he takes the lack of testimony as a signal the chamber is on the right track.

"Conspicuously, there hasn't been a hue and cry from either side about what they like or don't like about the bill," he said. "I think that's illustrative of the fact that this is close to being right."

Rep. Rosenberger (R-Clarksville) said he expects the committee to vote on the bill at its next meeting, likely on Tuesday.

"We'll probably go ahead and vote it out of committee next week and bring it back up (on the floor) in January," he said.

Business and labor groups have both expressed concerns with the bill as written, with employers hoping for more cuts to benefits and employee groups calling for less severe cuts. (See Gongwer Ohio Report, December 1, 2017)

Rep. Schuring again said he anticipates minor changes to be made to the bill next week. Although he declined to elaborate on the nature of those changes, he said he believes the bill will remain substantially similar to its current form, which a Legislative Service Commission analysis says attains a 49.5-50.5% split between employers and employees respectively.

"That's about a 50-50 split, so I've got to watch how I move things around because if we don't have that fair balance then the bill doesn't have as much credibility as I would like," the sponsor said.

Rep. Schuring noted that the pending vote comes nearly one year since lawmakers announced a stopgap plan after negotiations over a more comprehensive legislative fix failed. (See Gongwer Ohio Report, December 6, 2016)

At that time, he said, lawmakers agreed that sacrifices are needed on all sides. He said he doesn't anticipate any parties will "jump up and down for joy" at that prospect, but that he'll continue listening to stakeholder concerns over the coming days.

"I'm going to stick around this week and work with the interested parties and get them off dead center," Rep. Schuring said. "But at the end of the day, we need to move the bill because the fund needs to become solvent and we can't keep kicking the can down the road."

Proponents Urge Bill Blocking Drug Dealers From Preying On Those In Recovery

Members of the law enforcement and recovery communities on Tuesday urged a House panel to move legislation to stiffen penalties for drug offenses that occur near a community addiction services provider.

Wood County Prosecutor Paul Dobson said the legislation (HB 296) would help to crack down on drug dealers that prey on recovering addicts.

"Drug dealers well know the desperation of those trying to recover. They know where their market is," he told members of the House Criminal Justice Committee. "Because of this, they surround and try to infiltrate recovery housing and programs."

Mr. Dobson, who lost a stepson to a fentanyl overdose, said relapse numbers for those going through heroin detox are as high as 90%, and they are more susceptible to overdoses during that period...

"That's because their tolerance has been substantially reduced, but their cravings have not," he said.

Chairman Rep. Nathan Manning (R-N. Ridgeville) questioned why the bill does not have a provision stating one must knowingly be involved in drug activity near one of those locations.

Mr. Dobson said the bill is patterned after the law targeting drug activity near schools.

Belinda Brooks, who heads the Wood County Prosecutor's Office Addiction Response Collaborative, said she personally witnessed drug dealers preying on those in recovery at the Zepf Center in Toledo.

"I accidentally missed the driveway and turned into the next driveway by the facility which was an empty parking lot with a small run down building," she said. "As soon as I got to the end of the parking lot and turned my vehicle around there was a man at my driver's side window and had his hand out with something in it. I am certain it was drugs. I immediately left the parking lot and went to my meeting right next door. You can actually see these people outside the facilities at any given time."

Deb Flores, acting CEO of the Zepf Center, attested to the fact that drug dealers often target recovery centers such as the one she runs.

"These individuals often know that persons with substance use disorders are vulnerable to relapse because the decision to enter into recovery is one of the most difficult decisions an individual struggling with addiction will ever make," she said in written testimony. "It means parting from all the places, things and people in their lives they call friends that support their self-destructive behavior. Treatment centers must be places where persons in recovery feel safe from the triggers and trappings of this deadly disease."

Matthew Rizzo, president and CEO of A Renewed Mind, said in a statement that the matter is one of safety.

"While individuals in recovery would welcome a person who may not be ready to participate in recovery, the danger that accompanies the aforementioned predatory behavior is, again, unsafe to not only persons in recovery, but the community in general," he wrote.

The panel also received written proponent testimony from Lucas County Sheriff John Tharp, who said the problem is not only at treatment centers, but support groups such as Narcotics Anonymous.

Emergency Bill To Create Franklin County Judgeships Headed To Governor

The Senate wasted no time in advancing emergency legislation that would create two additional judgeships in the Franklin County Common Pleas Court's domestic relations division.

Members on Tuesday voted unanimously to send the measure (HB 174) to the governor. The Senate Judiciary Committee reported the bill earlier in the day after just one hearing.

"It's not just needed, but badly needed, thus the reason why this bill is moving through rather quickly," committee Chairman Kevin Bacon (R-Minerva Park) said.

The bill creates two judgeships, one to be elected in 2018 - for which the candidate filing deadline is fast approaching - and one to be selected in 2020.

Sponsoring Rep. Jim Hughes (R-Columbus) said the last time a judge was added to the domestic relations branch of the court was January 1997.

The judges in that division hear both juvenile and domestic relations cases, giving them the largest caseloads among the state's five largest metropolitan counties, he said. There are about 7,000 cases assigned to each judge.

"As a matter of comparison, Hamilton County judges have 78% of the incoming case load and Cuyahoga County judges have less than 30% of the incoming caseload compared to Franklin County judges," Mr. Hughes said. "As time moves on, the population of Columbus continues to grow, thus increasing the caseloads for these judges."

Sen. Charleta B. Tavares (D-Columbus), who sponsored the bill in the last General Assembly, said the current caseloads will only grow in future years, making it difficult for judges to do their jobs and for individuals to have their days in court.

"This is critical for justice here in Franklin County," she said ahead of the floor vote.

The bill drew wide support from Franklin County leaders, including the county commissioners, the five current domestic relations division judges, Prosecutor Ron O'Brien and Public Defender Yuerna Venters.

If the governor signs the legislation, the county commissioners said they'll make available additional court space and funding needed to expand the court.

"Based upon several factors - the population growth in Franklin County, the projected continued growth, the increase in the number of pro se litigants and in the increase in juvenile custody filings - we believe that adequately serving the families of Franklin County requires these proposed additional judgeships," they said.

The Columbus Bar Association, Franklin County Children Services, Franklin County Child Support Enforcement Agency, Capital Law School and the Ohio Supreme Court also submitted letters in favor of the legislation.

The children services and child support enforcement agencies, which work closely with the court, said they're looking forward to less crowded dockets.

Susan Brown, director of the county child support enforcement agency, said she is hopeful that adding judges will result in the addition or expansion of programs that encourage obligors to make payments.

"If there were additional judges on the bench in Franklin County, it could open avenues to even more creative solutions to assist in resolving the problem of non-payment of support," she said. "The agency is interested in working in conjunction with the court to find positive methods of motivating child support obligors to become involved in the lives of their children."

Relieving existing judges could also result in more timely hearings, said Chip Spinning, executive director of Franklin County Children Services. The judicial shortage in the county has resulted in a number of permanent custody hearings being assigned to visiting judges.

"Many times, the cases take months, if not years to resolve," he said. "The length of time it takes is a disservice to all parties on these cases and additional judges who are willing to hear these types of cases would be beneficial to all parties to a case."

Traffic Camera Bill Designed To Restore Due Process, Sponsors Say

The sponsors of a bill to place new regulations on traffic cameras designed to cite speeders said Tuesday it would ensure the cameras are there to improve safety, not generate local revenue.

The bill (HB 410), which had its first hearing before the House Government Accountability & Oversight Committee, stems from an Ohio Supreme Court decision over the summer.

Sponsor Rep. Bill Seitz (R-Cincinnati) said the decision led to a state law designed to regulate the use of traffic cameras becoming inapplicable in municipalities with home rule. (See Gongwer Ohio Report, November 21, 2017)

The bill would not ban or regulate traffic enforcement cameras, he said, but would provide due process for the people who are cited by the cameras. It would prevent political subdivisions from relegating citations to administrative hearings before going to municipal court.

"The cited citizens will now have the right to argue the violation in municipal court, as is the case now with most other asserted violations of a municipal ordinance," he said.

The only other exception to going to municipal court is for parking violations, he said.

The bill would also require political subdivisions that operate the cameras to file a report with the state on the gross amount collected from the cameras and deduct that amount from the subdivision's Local Government Fund money, Rep. Seitz said.

"The simple theory here is that if political subdivisions choose to rely on red light/speed cameras to raise their revenue, they do not need our LGF money to that extent," he said.

Money withheld from the LGF due to the camera revenue would be deposited in a new highway safety fund to pay for capital improvements to promote safer roads, he said.

Sponsor Rep. Jim Butler (R-Oakwood) said the bill would create a more fair process for people who are cited.

"The bill also ensures that a government cannot have a financial incentive to make petty criminals of its citizens through a wholly impersonal process, while doing nothing stop local governments from adding an additional layer of public safety tools if they choose to do so," he said. "I am all for making our roads safer, but not at the expense of civil liberties and due process."

Rep. Ryan Smith (R-Bidwell) asked about the delay in which people receive citations from cameras, with drivers often receiving the citations in the mail two weeks later. Rep. Seitz said he's also heard of



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Senate Activity for Tuesday, December 5, 2017

INTRODUCED

SB 238 ■ **WIND FARM SETBACKS** (Dolan, M.) Regarding wind turbine setbacks for wind farms of at least five megawatts. Am. 4906.20 and 4906.201.

SB 239 ■ **REGIONAL GOVERNMENT COUNCILS** (Dolan, M.) To modify the law concerning regional councils of governments. Am. 102.01, 167.02, 167.04, 167.07, and 2744.01.

PASSED

HB 170 ■ **COMPUTER SCIENCE** (Carfagna, R., Duffey, M.) With regard to academic content standards and curriculum requirements for computer science; to revise educator qualifications regarding computer science; and to authorize public schools to establish computer science and technology funds.

31-0

Gongwer Coverage

HB 174 ■ **FRANKLIN COUNTY COURT** (Hughes, J., Lanese, L.) To add two judges to the Domestic Relations Division of the Franklin County Court of Common Pleas to be elected in 2018.

EMERGENCY: 31-0; bill: 31-0; (Earlier REPORTED (See separate story))

Gongwer Coverage

SB 170 ■ **COMMERCIAL DRIVER LICENSES** (LaRose, F.) To require the Director of Public Safety to seek approval from the United States Federal Motor Carrier Safety Administration to implement a temporary pilot program regarding the waiver of the skills test for a commercial driver's license that applies to present and former military personnel.

31-0 (Earlier REPORTED (No testimony))

Gongwer Coverage

SENATE CONCURS IN HOUSE AMENDMENTS

SB 33 ■ **LAW ENFORCEMENT DATA** (Eklund, J.) To allow disclosure of information from the law enforcement automated data system (LEADS) to a defendant in a traffic or criminal case.

31-0

Gongwer Coverage


SB 71 ■ **AGENCY CONTRACTS** (Manning, G.) To allow a board of alcohol, drug addiction, and mental health services to authorize its executive director to execute contracts valued at \$50,000 or less without the board's prior approval.

31-0


Gongwer Coverage**ADOPTED**

SR 348. (Obhof) Relative to the election of Rob McColley to the 1st Senate District. VOTE: 22-0 (Republicans only)


REFERRED**Energy & Natural Resources:**


SB 236  **MINE COMMISSION (Huffman, M.)** To create the Affected Mine Commission, to require the Affected Mine Commission to hear appeals related to oil and gas operations and affected coal mines in lieu of the Reclamation Commission, and to define "affected mine" for purposes of the law.

Government Oversight & Reform:


SR 342  **COLUMBUS CREW (Kunze, S.)** To urge the investor-operator and chairperson of Columbus Crew Soccer Club to keep the franchise in Columbus.

Health, Human Services & Medicaid:


SB 237  **MEDICAID COVERAGE (Jordan, K.)** To prohibit the Medicaid program from covering the expansion eligibility group after December 31, 2018.

SCR 18  **DISABILITIES ACT (Yuko, K.)** To urge Congress to amend the Americans with Disabilities Act and adopt an international symbol of access that includes a dynamic character leaning forward with a sense of movement.

Insurance & Financial Institutions:

SCR 17  **BANKING SYSTEM (Schiavoni, J.)** To urge the United States Congress and the President of the United States to return to a national banking and direct credit system to build modern economic infrastructure and advance productivity.

COMMITTEE HEARINGS**Local Government, Public Safety & Veterans Affairs**

HB 194  **LICENSE PLATES (Johnson, T., Craig, H.)** To establish a program for the issuance of special license plates related to military service and awards. (**CONTINUED**; 1st Hearing-Sponsor)

Ohio has nearly 50 different license plates related to military service, sponsor **Rep. Terry Johnson** (R-McDermott) said. Each plate is codified individually and as the nation continues to participate in conflicts, it is prudent to streamline the process of creating license plates to honor veterans.

Co-chief sponsor Rep. Hearcel Craig (D-Columbus) said the bill will require the Director of Veterans Services to work with the Registrar of Motor Vehicles to develop a program to issue nonstandard license plates that recognize military service and military honors.

Sen. Steve Wilson (R-Maineville) asked if the military branches that create the awards approve of the proposed process. Rep. Johnson said the Institute of Heraldry and other establishments are their source of expertise in creating this process.

Rep. Johnson told Sen. Wilson that he does not know if other states that have a similar process.

Sen. Joe Uecker (R-Loveland) added that LSC has reported that the bill does not produce a direct fiscal effect on political subdivisions. He said he believes the bill is responsible legislation and will create a more efficient process.

Rep. Johnson said the bill does maintains all license plates currently produced and applies only to future plates.

The bill does not apply to nonstandard, theatres of war license plates that benefit organizations like Gold Star Families and others, Rep. Johnson told Sen. Cecil Thomas (D-Cincinnati).

HB 44 **DAY DESIGNATION (Patmon, B.)** To designate May 24 as First Responders' Appreciation Day. (REPORTED; 2nd Hearing-All testimony-Possible amendments & vote)

Lindsay Leiby of Western Reserve Hospital in Cuyahoga Falls submitted written testimony in support of designating May 24th as First Responders' Appreciation Day.

The Ohio Fire Chiefs Association submitted written testimony in appreciation for the recognition extended to fellow emergency services agencies.

All too often first responders get forgotten, Ohio Association of Chiefs of Police President of the Bradley Standley said in testimony. "This would provide and avenue to celebrate these fine men and women who sacrifice so much on behalf of their community and the State of Ohio."

SB 170 **COMMERCIAL DRIVER LICENSES (LaRose, F.)** To require the Director of Public Safety to seek approval from the United States Federal Motor Carrier Safety Administration to implement a temporary pilot program regarding the waiver of the skills test for a commercial driver's license that applies to present and former military personnel. (REPORTED (No testimony); 3rd Hearing-All testimony-Possible amendments & vote)

SB 190 **VETERAN PAID LEAVE (Hoagland, F.)** To grant full-time state employees paid leave for the purpose of attending medical examinations and appointments provided through the United States Department of Veterans Affairs. (CONTINUED; 1st Hearing-Sponsor)

"This legislation would alleviate the stress and worry many veterans face when they take leave from work," Sen. Frank Hoagland (R-Adena) told the committee.

The bill allows full-time, state employed veterans up to 96 hours of additional leave per year, equating to one 8-hour work day per month, only to be used to attend appointments from the VA or a VA Service Provider, Sen. Hoagland said.

The sponsor said he could empathize as a veteran working in state government about the hardships veterans face to maintain appointments with the VA Medical Systems.

Sen. Thomas asked if the bill intends to grant the entire 96 hours of paid leave at the beginning of the year or if it will accrue over time.

Sen. Hoagland replied that the 96 hours was allotted because of the amount of time veterans typically need to travel and attend appointments at VA hospitals, particularly while trying to obtain a disability rating. After veterans achieve that rating, he does not expect them to use the entire 96 hours, he added.

SB 223 **USED TIRES (LaRose, F.)** To prohibit the installation of unsafe used tires on certain motor vehicles. (REPORTED; 1st Hearing-All testimony-Possible amendments & vote)

Sen. Frank LaRose (R-Hudson) said his bill protects Ohioans by prohibiting suppliers from installing unsafe used tires that can lead to loss of vehicle control.

Under the bill, it would be illegal to install tires that are worn out to 2/32nds tread or lower, tires that have damage exposing inner components of the tire and tires that are not repaired to basic industry standards, among other conditions, he told the committee.

If found guilty of installing an "unsafe used tire" as defined by this legislation, the supplier would be guilty of an unconscionable consumer sales act, which is a misdemeanor finable up to \$1,000, Sen. LaRose said.

Not all used tires would be prohibited by the bill, he said. Only tires that qualify as unsafe according to the conditions listed in the bill would be banned, he explained.

Sen. Thomas said he believes this legislation is extremely important and shared a story about his daughter who had been sold a faulty tire. The senator asked if dates that are printed on tires will be used to tell if a tire has been used.

Dates on tires would not be used to identify if a tire is used under this legislation, Sen. LaRose said. The scope of the bill only extends to the listed defects.

If a tire would be illegal to drive on, this bill makes it also illegal to sell or install, he said. In response to Sen. Thomas, he added that if a tire is several years old but is visibly intact, it will not be illegal to sell under the bill, he added.

Alex Boehnke submitted written testimony in support of the bill on behalf of the Ohio Tire and Automotive Association. "Our members' number one priority is the safety of our customers," he wrote.

"Unfortunately, unsafe used tires are readily available and easy to come by, and motorists inadvertently place themselves at significant risk when their tires are not in good working condition," Brandon Ogden, director of the Ohio Small Business Council, said in proponent testimony.

This bill would keep Ohio roads safer by providing clear definitions of an unsafe used tire and penalties for those who supply them, Jeffrey Junkas said in testimony on behalf of the Property Casualty Insurers Association of America.

Robert Brundrett of the Ohio Manufacturing Association said that industry leaders have identified too many unsafe used tires in the stream of commerce as a public safety hazard and recommended legislation to prevent the installation of unsafe used tires.

"It is important to protect motorists from the installation of such unsafe tires and the bill does very well in defining what an unsafe tire actually is," Ric Oxender said on behalf of the Ohio Conference of AAA.

Mr. Oxender said the bill as introduced last session was concerning for AAA because it would not have allowed roadside assistance personnel to make a temporary repair to a flat tire to enable motorists to get to a safe location. However, the bill as it is now drafted will allow such action, he said.

Judiciary

HB 174 **FRANKLIN COUNTY COURT** (Hughes, J., Lanese, L.) To add two judges to the Domestic Relations Division of the Franklin County Court of Common Pleas to be elected in 2018. (REPORTED (See separate story); 1st Hearing-All testimony-Possible vote)

HB 215 **PAULDING COURTS** (Riedel, C.) To create the Paulding County Municipal Court in Paulding on January 1, 2019, to establish one full-time judgeship in that court, to provide for the nomination of the judge by petition only, to abolish the Paulding County Court on that date, to designate the Paulding County Clerk of Courts as the clerk of the Paulding County Municipal Court, and to provide for the election for the Paulding County Municipal Court of one full-time judge in 2018. (CONTINUED; 2nd Hearing-Proponent)

Paulding County Judge Suzanna Shuman Rister said the traffic court docket has increased in recent years, largely because of the opening of U.S. 24, which takes drivers between Toledo and Fort Wayne.

Because of the busy dockets, jury trials can only be heard once a week, she said. That causes delays of several weeks and sometimes months in hearing cases.

There is also little time left for administrative duties, the judge said.

"I very much enjoy the work. The difficulty is the part-time status does not allow me to attend to all matters and give each the time it deserves," she said in written testimony.

SB 81 **FIREARMS** (Terhar, L.) To waive the concealed carry license fee for active members of the armed forces and retired and honorably discharged veterans, to accept military experience with firearms as proof of competency with firearms regardless of when the applicant for a license acquired the experience, to permit a licensee to renew a concealed handgun license at any time before the expiration of the license, and to require the Attorney General to monitor the number of license fees waived and cap the total amount allowed to be waived at \$1.5 million. (REPORTED (No testimony); 3rd Hearing-All testimony-Possible vote)

Health, Human Services & Medicaid

HB 119 **SNAP** (Henne, M., McColley, R.) Regarding eligibility and benefits under the Supplemental Nutrition Assistance program and the Medicaid program. (CONTINUED; 1st Hearing-Sponsor)



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Legislative Committees

House Health (Committee Record) (Chr. **Huffman, S.**, 466-8114), Rm. 121, 9 a.m.

- HB 302** **PREGNANT MINORS** (**Boggs, K.**, **Antonio, N.**) To authorize a pregnant minor to consent to receive health care to maintain or improve her life or the life of the unborn child she is carrying. (1st Hearing-Sponsor-Possible substitute)
- SB 143** **DAY DESIGNATION** (**Eklund, J.**) To designate September 25 as 'International Ataxia Awareness Day' in Ohio. (2nd Hearing-All testimony-Possible vote)
- HB 397** **NEWBORN SCREENING** (**Boggs, K.**, **Butler, J.**) To include spinal muscular atrophy as an additional disorder to be screened for under the Newborn Screening Program. (2nd Hearing-Proponent)
- SB 164** **ABORTION** (**LaRose, F.**) To prohibit a person from performing, inducing, or attempting to perform or induce an abortion on a pregnant woman who is seeking the abortion because an unborn child has or may have Down Syndrome. (1st Hearing-Sponsor-Possible vote)
- HB 258** **ABORTION** (**Hagan, C.**, **Hood, R.**) To generally prohibit an abortion of an unborn human individual with a detectable heartbeat and to create the Joint Legislative Committee on Adoption Promotion and Support. (3rd Hearing-Opponent-Possible amendments)
- HB 172** **MEDICAL RECORDS** (**Schuring, K.**) To modify the laws governing access to a patient's medical records. (4th Hearing-All testimony-Possible vote)

House Transportation & Public Safety (Committee Record) (Chr. **Green, D.**, 644-6034), Rm. 017, 10 a.m.

- Autonomous/Connected Vehicle Study Presentations from AAA, Ohio Trucking Assn., Transport Workers Union Local 208 and KnowledgeWorks

- HB 260** **DRIVING PRIVILEGES** (**Butler, J.**, **Sykes, E.**) To require a court to grant limited driving privileges to a person in relation to a driver's license suspension under certain circumstances. (3rd Hearing-All testimony-Possible amendments & vote)
- HB 297** **VEHICLE TITLES** (**Hagan, C.**) To allow owners of a motor vehicle, watercraft, or outboard motor who have joint ownership with right of survivorship to transfer title through a transfer-on-death designation. (4th Hearing-All testimony-Possible vote)
- HB 306** **LICENSE PLATE** (**Gonzales, A.**) To create the "Gold Ribbon Awareness" license plate. (2nd Hearing-All testimony-Possible vote)
- HB 325** **ROAD NAMING** (**Faber, K.**) To designate a portion of State Route 705 in Shelby County as the "Michael J. Aselage Memorial Highway." (2nd Hearing-All testimony-Possible vote)

- HB 375** **ROAD NAMING** (Boccheri, J., Lepore-Hagan, M.) To designate a portion of I-680 in Youngstown as the "Frank Watson Memorial Highway." (1st Hearing-All testimony-Possible vote)
- HB 376** **ROAD NAMING** (Boccheri, J., Lepore-Hagan, M.) To designate a portion of United States Route 422 in Youngstown as the "Harry Meshel Memorial Highway." (1st Hearing-All testimony-Possible vote)
- HB 387** **BRIDGE NAMING** (Boccheri, J., Lepore-Hagan, M.) To designate the bridge spanning State Route 11, that is part of Mahoning Avenue in Austintown Township in Mahoning County, as the "Women Veterans Bridge." (1st Hearing-All testimony-Possible vote)

House Civil Justice (Committee Record) (Chr. Butler, J., 644-6008), Rm. 122, 11 a.m.

- SB 152** **STRUCTURED SETTLEMENTS** (Dolan, M.) Relative to transfers of structured settlement payment rights. (1st Hearing-Sponsor)
- HB 419** **EMERGENCY LIABILITY** (Henne, M.) To modify the defense to the liability of a member of a police or fire department or emergency medical service of a political subdivision for the negligent operation of a motor vehicle in response to an emergency by requiring that the vehicle has its lights and sirens simultaneously activated. (1st Hearing-Sponsor)
- HB 412** **DISCRIMINATORY COVENANTS** (Craig, H.) To authorize county recorders, at the request of certain persons, to redact discriminatory covenants from real property instruments displayed on the internet, or to record modifications of those instruments. (1st Hearing-Sponsor)
- HB 407** **ESTATE LAW** (Dever, J., Seitz, B.) To abolish the estate by dower. (1st Hearing-Sponsor)

~~Canceled: Senate Rules & Reference~~ (Committee Record) (Chr. Obhof, L., 466-7505), Majority Conf. Rm., 11 a.m.

~~Canceled: House Session~~ (Committee Record) (Chr. Rosenberger, C., 466-3357), House Chamber, 1:30 p.m.

- If needed

~~Canceled: Senate Session~~ (Committee Record) (Chr. Obhof, L., 466-4900), Senate Chamber, 1:30 p.m.

Senate Education (Committee Record) (Chr. Lehner, P., 466-4538), South Hearing Rm., 2 p.m.

- Presentation from State Superintendent Paolo DeMaria on model curricula

- SB 216** **SCHOOL REGULATIONS** (Huffman, M.) To enact the "Ohio Public School Deregulation Act" regarding the administration of preschool and primary and secondary education programs. (3rd Hearing-Opponent & interested party)

House Aging & Long Term Care (Committee Record) (Chr. Arndt, S., 644-6011), Rm. 122, 2:30 p.m.

- HB 413** **OPERS BENEFITS** (Scherer, G.) Regarding Public Employees Retirement System (PERS) annual cost-of-living adjustments granted to allowance and benefit recipients and PERS service credit for services as a nonteaching school employee of a county board of developmental disabilities. (1st Hearing-Sponsor)

House Community & Family Advancement (Committee Record) (Chr. Ginter, T., 466-8022), Rm. 114, 3 p.m.